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Newman 1820



George Purling.

THE

Parliamentary Regiſter;

OR,

HISTORY

OF THE

PROCEEDINGS AND DEBATES

OF THE

HOUSE OF COMMONS;

CONTAINING AN ACCOUNT OF

The moſt intereſting SPEECHES and MOTIONS; accurate Copies of the moſt remarkable LETTERS and PAPERS; of the moſt material EVIDENCE, PETITIONS, &c. laid before and offered to the HOUSE,

DURING THE

SIXTH SESSION of the FOURTEENTH PARLIAMENT

OF

GREAT BRITAIN.

IN SEVENTEEN VOLUMES.

VOL. XVII.

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THE

HISTORY

OF THE

PROCEEDINGS and DEBATES

Of the SIXTH SESSION of the

HOUSE of COMMONS

OF THE

Fourteenth Parliament of *Great Britain.*

Appointed to be held at *Weſtminſter*, on *Thurſday*, the 25th Day of *November*, 1779.

The Authentic Minutes on the further hearing of the Complaint reſpecting the Borough of Milborne Port.

Mr. *John Hyde.*

Q. THEN you ſay, the treaty was carried into execution with reſpect to Mr. Walter's property? Do you mean the transfer of the property from Mr. Walter to Mr. Lloyd, or from Mr. Lloyd to Mr. Medlycot, or both?

A. The transfer was firſt from Mr. Walter to Mr. Lloyd, and afterwards from Mr. Lloyd to Mr. Medlycot. I have ſeen both the deeds, and Mr. Medlycot has received half a year's rent, due laſt Michaelmas.

Q. Have you ſeen, at any time, a note given by Mr. Hallet to Mr. Medlycot, for 300l. or thereabouts?—A. Yes.

Q. Whether Mr. Medlycot expreſſed a diſpoſition to give up Mr. Luttrell, or otherwiſe?

A. Mr. Medlycot was always very averſe to give up Mr. Luttrell, till ſuch time as his brother came from London, and when his brother came from London, and told him, what had paſſed between Mr. Robinſon and him, he ſeemed very much diſpleaſed at it.

Q. How do you know Mr. Medlycot was diſpleaſed?

[*Queſtion objected to—Withdrew.*

[*Called in again.*]

Q. Did you ever read a conveyance from Mr. Lloyd to Mr. Medlycot of Mr. Walter's property at Milborne Port?

[*Queſtion objected to.—Withdrew.*

Q. Are you not indebted a conſiderable ſum to Mr. Medlycot? [*Queſtion withdrawn.*

Q. Have you, or have you not, in conſequence of Mr. Medlycot having taken your goods in execution, declared that you would be revenged of Mr. Medlycot?

[*Queſtion objected to—Withdrew.*

[*Called in again.*]

Q. What was Mr. Luttrell's anſwer, and on what ground did he object to the attempting a compromiſe with Lord North?

A. As well as I can recollect, Mr. Luttrell's anſwer was, that not only his honour was very much wounded in this reſpect, but that it was a great national affair, and ought to be enquired into, and that he would not accept a ſeat on ſuch terms, nor even ten ſeats. [*Withdrew.*

Mr. *Samuel Daniel again called in.*

The queſtion and anſwer read in the former part of his evidence, reſpecting the agreement executed at Yeovil reſpecting the ſigning the memorandum.

Part of Hyde's evidence.—The draft of the agreement read.

Q. Was that the purport of the memorandum you recollect to have ſeen at Yeovil?

A. I don't believe it was. It was ſo late in the day that if any thing of that kind was done I can't charge my memory with it.

Q. Was you preſent when the memorandum was ſigned at Yeovil?—A. I think I was.

Q. Who elſe?

A. Mr. Lloyd, Mr. Hyde, Mr. Medlycot, I can recollect nobody elſe.

Q. Was Mr. J. Daniel there?

A. He was in and out of the room, but don't remember he was there at that time. [*Withdrew.*

Mr. *John Daniel.*

Q. Was you preſent at Yeovil when a memorandum was ſigned in or about February laſt?

A. I came into the room at the time Mr. Medlycot had got a pen in his hand. I had been abſent an hour, and he was writing his name to ſomething, I don't know what, but I heard afterwards it was an agreement, but what it was, or the contents, I never knew.

Q. Did you know it was a memorandum?

A. I can't tell what it was.

[*Called in again.*]

Q. Repeated—A. Yes, I have.

Q. Have you ever heard a declaration from Mr. Medlycot, that Lord North was his man;

A. That queſtion has been anſwered.

Q. Repeated.

A. Yes, I have heard him ſay ſo repeatedly, and I have rather checked Mr. Medlycot for uſing his Lordſhip's name.

Q. What do you mean by checking Mr. Medlycot?

A. Blamed him—found fault with him for uſing his Lordſhip's name.

Q. Have you reaſon to believe, that his Lordſhip's name was uſed without authority?

A. I never ſuppoſed he had any other authority, than what aroſe from that agreement.

Q. Do you know where Mr. Lloyd reſided in the country at that time?

A. Yes, at Dillington, in the county of Somerſet, where Milborne Port is.

Q. Did Mr. Lloyd ever apply to you to raiſe and pay recruits about the time of this tranſaction for a corps, in which Captain North, the ſon of Lord North, is an officer?

A. Yes.

Q. Did you raiſe any men on that authority?

[*Queſtion objected to—Withdrew.*

[*Called in again.*]

A. Mr. Lloyd deſired me, and I raiſed two men. [*Withdrew.*

[*Called in again.*]

Q. Was you not many years in confidence with Mr. Medlycot? [*Queſtion objected to—Withdrew.*

[*Called in again.*]

Q. Repeated.—A. Certainly, many years.

Q. When did you firſt give notice to Mr. Luttrell of this tranſaction?—N. B. This queſtion put by Colonel Onſlow.

A. About a month ago. When I firſt communicated this affair to M. Luttrell, I did not do it with an intention to bring it before the Houſe: my intention and requeſt to Mr. Luttrell was for him to wait on Lord North, and to acquaint him that he was in poſſeſſion of certain facts, in which I thought his Lordſhip might be involved, and I requeſted Mr. Luttrell, at the ſame time, to ſpeak to him in a friendly manner, in order to compromiſe the matter, and if he could not ſucceed in that point, this might be a proper enquiry before a committee at the general election.

Q. Are

Then the queſtion, thus amended, being put, the Houſe divided, ayes 15, noes 108.

Mr. *Robert Bryant.*

Q. The witneſs is deſired to produce the two papers which he brought to Mr. Luttrell's houſe, and put into his hands, and which papers he peruſed; the contract between Mr. Walter and Mr. Lloyd, and another between Mr. Lloyd and Mr. Medlycot.

A. The papers I ſhewed to Mr. Luttrell were only drafts of contracts, and I told him ſo at the time; and I likewiſe told him that Mr. Medlycot had the originals engroſſed from thoſe drafts.

Q. Who ingroſſed theſe contracts?

A. My clerks.

Q. Who attended the execution of theſe contracts?

[*Objects to anſwer it, as the client is not to be accuſed out of the attorney's mouth.*]

Q. Do you know that thoſe contracts were delivered and left in Mr. Medlycot's hands?

[*Objects to anſwer it.*] [*Withdrew.*

Mr. *John Hyde.*

Q. Whether Maurice Lloyd, at the time of his writing a part of that memorandum, or draft of an agreement, aſſumed an authority for making uſe of Lord North's name therein?

A. He uſed Lord North's name therein.

Q. Was Mr. Lloyd underſtood by the parties ſo to do?

[*Queſtion objected to.*]

Q. You will report, if you are certain, that that paper was written entirely by Mr. Lloyd and yourſelf.

A. I am very certain.

Q. Was it in the preſence of Mr. Medlycot, or did he ſee it?

A. I have already ſaid Mr. Medlycot was in the room all the time, and ſaw it.

Q. By whoſe direction did you write your part?

A. By Mr. Lloyd's.

Q. Did Mr. Medlycot know the contents of the memorandum?

A. Certainly. [*Withdrew.*

Lord North was heard in his place, and then he withdrew.

And a motion being made, and the queſtion being propoſed, "That it appears to this Houſe, that there have been divers undue and corrupt practices, reſpecting the election of

Q. Whether before you abſented yourſelf, nothing paſſed relative to what were to be the contents of that paper?

A. There was only one particular thing I heard talked of, that was relating to the purchaſe of Mr. Walter's property at Milborne Port; that was all I knew.

Q. Did not you then apprehend, that when you ſaw Mr. Medlycot ſigning a paper he was ſigning an agreement to that effect?—A. I really did not know what it was.

Q. What was the time you ſaw Mr. Medlycot take a pen in his hand?

A. About eleven or twelve at night.

Q. From whom did you hear it was an agreement?

A. From the company in general. [*Withdrew.*

Mr. *John Hyde—again.*

Q. Whether Mr. J. Daniel was preſent at the time that you and Mr. Lloyd jointly wrote the paper?

A. He certainly was, and I have a paper here that was a propoſition of Mr. J. Daniel, made at the ſame time to bring about the contract, written by Mr. J. Daniel; the contents allude to the ſame.

[*Reads the paper.*]

Mr. Medlycot deſires to leave the affair of the purchaſe of Mr. Walter's intereſt and property in the borough of Milborne Port to Mr. Lloyd, and he further conſents to Mr. Lloyd's receiving to himſelf and for his own uſe any deduction in the price, provided it is not leſs than 1300l.

Q. Was that paper agreed to by the parties?

A. There was a diſpute about 200l. Mr. Lloyd offered 2800l. Mr. Medlycot inſiſted on having 3000l. at that time we were not exactly certain what Mr. Walter would aſk for his eſtate, and therefore in order that Mr. Lloyd ſhould not exceed the ſum of 2800l. Mr. J. Daniel drew this paper himſelf in order to bring about an agreement.

Q. Was Mr. J. Daniel preſent?

A. It was wrote at that time by Mr. J. Daniel, for we never had any other meeting. It was agreed at the firſt meeting. [*Withdrew.*

A motion was made, and the queſtion being propoſed,

That the paper read at the bar by Mr. J. Hyde, purporting to be the draft of an agreement between Mr. Medlycot and Mr. Lloyd, and being in part in the hand writing of Mr. Lloyd, be delivered in at the table and read.

Queſtion amended, by inſerting, after Lloyd, "and the remainder in the hand writing of the witneſs, John Hyde."

Then

members to ſerve in Parliament for the borough of Milborne Port, in the county of Somerſet at the approaching general election," an amendment was propoſed, by Mr. Solicitor General Wallace, to add, at the end of the queſtion, theſe words, "committed by the right honourable Lord North, firſt lord commiſſioner of his Majeſty's treaſury, or others, acting as his agents in the ſaid tranſaction," which was agreed to.

Then the main queſtion thus amended being put, it paſſed in the negative.

A motion being made, and the queſtion being propoſed alſo by Mr. Solicitor General (Wallace,)

"That the ſaid charge againſt the right honourable Lord North is ill founded and injurious,"

And the previous queſtion being put, that this queſtion be now put,

It paſſed in the affirmative.

Mr. Luttrell concluded his evidence (ſo far as it was not denied him by a majority of the Houſe) with reading the following declaration, dated in November laſt, written and ſigned by Mr. Medlycot, and which paper Mr. Luttrell propoſed to preſent; but was refuſed. "Unprepared as I was, without even a promiſe of ſupport from you. In this critical ſituation an offer was afterwards made to me of an aſſignment of Mr. W———'s borough-property, on condition of my ſupporting a double recommendation of their's. To this propoſal, my neceſſity and not my will conſented."

Mr. *Luttrell* concluded with ſaying, that he had proved, he hoped, to the demonſtration of the Houſe, that a perſon, acting as the agent of Lord North, had been guilty of corrupt practices in the borough of Milborne Port; a circumſtance, which if it was not done with the noble Lord's privity and conſent, he would thank him for making public, that the ſame gentleman might not go with ſuch pretences to the different boroughs of this country. In all the weſt of England he was diſtinguiſhed by the appellation of Lord North's Lloyd. He had been guilty of ſimilar abuſes at Ilcheſter, and ſeveral other boroughs. He was tenant to Lord North; recruiting officer; lived with him in habits of intimacy, and had been his generally acknowledged agent.

Lord *North* defended himſelf againſt the charge by ſaying that no part of it had been proved. Inſtead of having adduced evidence to prove that either he or his agents had been guilty of the corrupt practices, he had concluded this accuſation with ſaying barely that perſons pretending to be his agents

agents had committed them. Mr. Lloyd was never his agent. True he was his tenant, and he paid him a valuable conſideration for the lands which he farmed. He had raiſed ſome recruits for one of his ſons, but he had done this not from any lucrative motives, but from friendſhip. True he had viſited Mr. Lloyd, becauſe he was accuſtomed in the ſummer time to go into the country to ſettle his accounts and arrange his affairs, and Mr. Lloyd rented his houſe which was in the midſt of his tenants. But all this did not amount to an agency; he had given Mr. Lloyd no commiſſion to purchaſe any intereſt in Milborne Port, and he was totally innocent of the charge.

Mr. *Luttrell* replied to this, and moved a reſolution, "that divers undue and corrupt practices had taken place in the return of repreſentatives for the borough of Milborne Port at the next general election."

The *Solicitor General* [Mr. Wallace] moved, as an amendment to this, the following words to be added, "committed by the right honourable Lord North, the firſt commiſſioner of his Majeſty's treaſury, or by perſons acting as his agents in this tranſaction." This amendment he ſaid he moved, becauſe the other did not either acquit or condemn the object of the charge.

The Houſe were generally of opinion that the amendment ought to be admitted, and that though there was not legal proof of Lord North's guilt, yet it was apparent that there had been undue and corrupt practices committed in the borough.

Mr. *Fox* ſaid, he hoped the Houſe would not in their deciſion on this queſtion forget the juſtice that was due to the borough. It was a crime infinitely greater in gentlemen to commit ſuch ſhameful tranſactions, than for boroughs, oppreſſed with poverty, like Shoreham, to make bribery the means of their exiſtence. He hope the Houſe would take it up, and proceed upon it in a proper manner.

The queſtion, with the amendment, was negatived.

Col. *Holroyd* moved, that the charge brought againſt Lord North was ill founded and injurious.

Sir *George Howard* ſeconded the motion.

Mr. *Fox* ſaid, if nothing further was intended, he thought the motion a very immaterial one; it meant nothing; but if it was to be followed by any motion of cenſure againſt the honourable gentleman who brought the charge, he ſhould oppoſe it to the utmoſt; apprehending, however, that there was ſome motion of that kind in reſerve, he would move the previous queſtion. He thought the friends of the motion ex-

tremely inconſiſtent, if that was their deſign; for he very well remembered, when he had upon former occaſions, mentioned the judgment of the court martial upon Admiral Keppel, that the charges brought againſt him were malicious and ill founded; the other ſide of the Houſe, and the noble Lord himſelf [Lord North] ſaid, ſuch judgment was ridiculous; Sir Hugh Palliſer was not before the court; they were not pronouncing ſentence upon him; and therefore the court martial had nothing to do with him. From this, Mr. Fox drew a ſtrong argument, that the friends of the motion, to be conſiſtent with themſelves, could not offer any ſubſequent motion.

Mr. *Dundas* [the Lord Advocate] replied, that the charge brought againſt the noble Lord, not being fully proved, the motion was proper and neceſſary. If it had been proved, if it had been brought home to the noble Lord, every committee in England would have taken it up; it would have been matter for a particular reſolution in each; it would have been adduced as a proof of the influence of the Crown. But as the honourable gentleman [Mr. Fox] ſaid the words *ill founded* and *injurious* meant nothing, he would add ſtronger words, ſuch words as were clear and full to the honourable gentleman's conviction. However he offered no amendment.

Right Honourable *T. Townſhend* obſerved, that though the charge was not brought home to the noble Lord, yet every body muſt be ſatisfied that there was an attempt made by ſomebody, and it was a well-known fact, which he appealed to every gentleman for the truth of, that perſons in a private room would ſay many things which they would be afraid to repeat at the bar of the Houſe; that there was a freedom in one place, and an awe and dread in the other; that any gentleman might be induced to believe himſelf, what he could not afterwards fully ſatisfy another of, the evidence not keeping the ſame emphaſis, nor the ſame terms.

Right Honourable *W. Ellis* ſaid, he was againſt any ſtronger words than were contained in the motion. They were ſufficient. Any thing more might tend to check Parliamentary enquiry into matters of this ſort.

Mr. *Byng* thought, that the beſt mode of vindicating the noble Lord, was for his Lordſhip to bring actions againſt the perſons who had aſſumed the character of his agents in this buſineſs; for ſuch they certainly ſeemed; the treaſury, or his Lordſhip, and ſometimes both, were conſtantly ſpoken of in every ſtage and part of it: and if his Lordſhip did not

vindicate

vindicate his character by puniſhing ſuch delinquents, the public would judge for themſelves.

Mr. *G. Onſlow* ſaid a few words on the propriety of the motion, and the queſtion was put, and the motion agreed to without a diviſion.

Lord *North*, who was ſometimes in the Speaker's chamber, and ſometimes in the gallery, came into the houſe, and thanked them for having acquitted him; and then ſaid, that as the Eaſt India company had made him no offers, he would on Tueſday next the 21ſt, move that the Speaker of the Houſe ſhould intimate to the chairman of the company, that the debt would be paid off.—This intimation, he ſaid, muſt be given before the 5th of April next, or a longer notice would be neceſſary.

At half paſt eleven the Houſe adjourned to the 20th.

March 20.

Mr. *Temple Luttrell* ſaid, that conſidering the partial manner in which a part of the evidence he had endeavoured to bring before the Houſe laſt week, relative to the affair of Milborne Port had been heard, he thought he had ſufficiently ſhewn that undue and corrupt practices had obtained in that borough. He meant, he ſaid, after the receſs, to revive the ſubject again, as he ſhould then be in poſſeſſion of evidence ſufficient to bring home the charge to thoſe perſons whoſe names had been ſo frequently mentioned in the courſe of the enquiry, and he felt himſelf bound to make out the charge, ſo that the parties really guilty might be puniſhed. Mr. Luttrell commented on what had paſſed on Friday evening, declaring, he lamented that he had left the Houſe ſo early, becauſe he underſtood he had loſt a ſcene, which far outdid that in Shakeſpeare, in which Richard the Third is diſcovered leaning on two reverend clergymen, by his favourite Buckingham, who ſhews him, in that contrived ſituation, to the mayor and citizens. Mr. Luttrell drew a ludicrous parallel between the noble Lord's ſtanding with the Lord Advocate on one ſide and the Solicitor General on the other, and thanking the Houſe for their candour and ſupport, and the interview between Richard and the citizens. He compared the Speaker to Buckingham, and the two lawyers to Father Paul and Friar Beuker. After puſhing this compariſon, as far as it would go, he rather reflected on the conduct of the majority reſpecting their determination of Friday, and ſaid he ſhould not have wondered if they had attempted to vote his expulſion, which, he contended, they were as well

warranted

warranted to vote as the motion that was carried. He concluded with giving notice, that he ſhould revive the ſubject after the Eaſter holidays.

Mr. *Fullarton* roſe and ſaid, his character and his conduct in offering to raiſe a regiment had been reflected upon in another Houſe of Parliament by a noble Earl; a matter which had given him great uneaſineſs, and the more, becauſe he was puzzled how to act, in order to wipe out the imputation. He roſe therefore to explain the motives of his conduct, and he truſted the Houſe would hear him patiently, as he felt his honour wounded, and had ardently wiſhed for an opportunity of removing the bad impreſſion of his conduct, which the place where the reflections he alluded to were thrown out, might ſerve to give riſe to. The reflections were, as he underſtood, extremely groſs; the noble Earl terming him a clerk, and in the moſt contemptuous manner remarking, that a clerk ought not to be truſted with a regiment, adding to that remark, other inſinuations, as falſe as they are illiberal. He ſaid, the noble Earl might think to ſcreen himſelf under his peerage, but if he could forego the language and manners proper to his rank and the Houſe in which he had attacked him, the noble Earl ſtood in another character, which made ſuch an attack highly unwarrantable, and that was, the character of an officer holding high profeſſional rank. Little as he yet knew of the military profeſſion, Mr. Fullarton ſaid, he believed he might venture to aſſert, that if the noble Lord was brought to a court martial for his words concerning him, he would fall under the article of ungentlemanlike behaviour.

With regard to his offer to raiſe a regiment in times of public difficulty like the preſent, when his country was at war with nearly half the world, he had thought his offering to aſſiſt by raiſing a regiment, was by no means ſuch conduct as was likely to draw on him a public cenſure, more eſpecially a cenſure from Peers in Parliament; and he was ſure that houſe, if they knew the ſervice for which his regiment was deſtined, would not think he merited the unhandſome attack that had been made on him. He went on thus:

I know it is irregular to take notice here of what paſſed elſewhere; but it is the privilege of thoſe who are aſperſed, to wipe out the imputation. It is the object of my life to deſerve the approbation of this Houſe and of this country. It is the duty of this Houſe to know, that thoſe men who ſit here, and who are raiſed to the command of regiments, in

times like the preſent, are not ſuch men as I have been deſcribed.

I was named while very young, by the King, ſecretary to the embaſſy at Paris—an appointment ſo honourable, with regard to buſineſs, emolument, and ſituation, that I did not expect it would have procured me the title of clerk, eſpecially from a noble Duke [the Duke of Richmond] whoſe brother held the ſame office; and from a noble Earl, who, as well as that Duke, having been at the head of the diplomatique affairs of this country, as ſecretary of ſtate, muſt have known the falſehood of his own aſſertion.—That noble Earl—I mean the Earl of Shelburne—

Mr. *Fox* called to order, and ſaid, he could not ſit ſtill and hear gentlemen proceed in ſo unparliamentary a manner, to ſtate what was ſaid in another houſe, and to mention peers by name: that it was contrary to every rule in Parliament, and ought not to be endured. He ſpoke of the impoſſibility of the Houſe knowing whether the words alluded to were really ſpoken, as the honourable gentleman had been informed they had, and argued the impropriety of conſidering what was ſaid in debate as a private and perſonal attack. He begged once for all to declare, that if ſuch a cuſtom prevailed, the freedom of debate muſt ceaſe; and contended, that the moſt eſſential of all the rights of Parliament would be loſt, if gentlemen were to ſuppoſe, that when their names and public conduct were mentioned, a perſonal affront was intended. He declared his regard for the noble Lord alluded to, and hoped he ſhould ſtand excuſed for having laid down a doctrine, which he was confident ought implicitly to be adopted.

Mr. *Rigby* declared, he ſubſcribed moſt fully to the doctrine; but he was exceedingly aſtoniſhed to hear it from the honourable gentleman's mouth, becauſe no one member, he ſaid, had ſo frequently been guilty of that violation as the honourable gentleman. He then explained what the cuſtom of Parliament was, ever ſince he had known Parliament, and wiſhed it was more ſtrictly adhered to, becauſe it would not only preſerve the freedom of debate, but preſerve regularity, and prevent ill humour.

Lord *North* ſaid, that it was certainly wrong, to mention in that Houſe or the other, the name of any member elſewhere. There were ſome occaſions, however, which would juſtify it, and he thought the caſe of the honourable gentleman one. His Lordſhip paid Mr. Fullarton great compliments,

pliments, and declared he had done himſelf great honour, even though he had taken the wrong opportunity to clear himſelf. He recommended it to the honourable gentleman to treat all perſonal attacks with indifference and contempt. Noble Lords in another place were very apt to be perſonal, and they very often made free with him. Among other names, one of them had lately called him *a thing*. The appellation, however contemptibly meant, was certainly truly applied; he was a *thing*. But the noble Lord who had applied it to him had put an addition to it. He had ſaid, he was *a thing called a miniſter*. A moment's conſideration, ſaid his Lordſhip, convinced me that this ought not to be conſidered as an affront, becauſe a moment's conſideration reminded me that the noble Lord who had dubbed me *a thing called a miniſter*, had not the ſmalleſt objection to become that very *thing* himſelf.

Mr. *Fullarton* roſe to explain, and ſaid, he ſhould not have mentioned the noble Earl by name, but that the noble Earl had attacked him by name, and with all the ariſtocratical inſolence which marked his character.

He was called to order again by Colonel *Barré*, who defended his noble friend, and ſaid the honourable gentleman had been miſinformed. The Colonel contended that the term *clerk*, abſtractedly conſidered, was not offenſive, and that the term *commis* was applied to the higheſt officers of ſtate in France.

Mr. *Burke* defended Lord Shelburne.

Mr. *Fullarton* ſaid, he would only inform the Houſe, that the Earl in queſtion had aſſerted, that he and his regiment would be as ready to draw their ſwords againſt the liberties of their country as againſt its foes, and leave the Houſe to judge whether he ought to feel himſelf hurt or not.

Earl *Nugent* deſired that perſonal animoſity might be checked in each Houſe of Parliament.

At length the order of the day was called for, and the contractors' bill was read a third time, and paſſed.

The order of the day was then read, for the Houſe to reſolve itſelf into a committee on Mr. Burke's bill for regulating the civil eſtabliſhment. As ſoon as the Speaker had left the chair, and Mr. Elwes had taken his ſeat at the table,

Sir *Fletcher Norton* roſe and apologized to the committee for having improperly introduced matter foreign to the *queſtion*, when the committee laſt ſat. He ſaid he did not retract

retract a ſyllable, he only lamented that what he had ſaid had been drawn from him at an improper time. He took notice of the load of newſpaper ſcandal that had been thrown upon him, from the day in which he had addreſſed the committee, till the preſent time, declaring he held it in the moſt ſovereign contempt, but that he was anxious to clear himſelf to that Houſe and the public.

Mr. *De Grey* ſtated to the Houſe the ſatisfaction he felt that this matter was again brought under their conſideration, for he had ſuffered the greateſt uneaſineſs at its having been ſo much miſunderſtood: and he reminded the Houſe that however conſcious the learned judge might be of his own integrity, yet the ſatisfaction of a virtuous mind was incompleat, if it was not accompanied with the approbation and the confidence of the public. That the Houſe would judge what his own particular feelings muſt be, if any man could call in queſtion the propriety of the learned judge's conduct as far as it was founded in an attention to ſo unworthy an object as the perſon who was then addreſſing the Houſe.

That a report had been circulated, and had gained credit abroad, that upon the reſignation of the chief juſtice two years ago, a ſum of money to the amount of 7000l. or 8000l. was to have been paid by Lord North out of the public treaſury, and was actually depoſited in the hands of an eminent banker for the chief juſtice, in lieu of a reverſion to a particular office in the court of common pleas, which the chief juſtice would have had a right of appointing to, if it had fallen whilſt he continued at the head of that court. That Mr. De Grey would take upon himſelf to aſſure the Houſe that the whole of this report was falſe, and was founded in a miſtake. That no ſum of money ever was offered, demanded, talked of, or even to the beſt of his knowledge thought of by any body. That if it had been ſo offered, or ſo accepted, he ſhould have thought both the perſon who offered and the perſon who accepted equally corrupt, and deſerving of all thoſe epithets which had been affixed to this tranſaction. That the learned judge in queſtion felt as much as the Houſe could feel, how much the preſervation of this conſtitution depended upon the purity of the courts of juſtice, and of the integrity of thoſe who filled thoſe ſtations: that he felt not only that the Houſe was competent, but was bound in duty to examine into any malverſations, certainly yet more into any corrupt

tranſaction

tranſaction that had found its way there. That to this tribunal that learned judge was ready, willing, and anxious to ſubmit his conduct, in caſe the Houſe ſhould think fit to inſtitute any enquiry upon the ſubject. That he repoſed himſelf with the moſt entire confidence in the wiſdom and in the juſtice of the Houſe, and the more they enquired into this or any other tranſaction of his life, the more he truſted that he ſhould be entitled to their good opinion, which he was not conſcious he had as yet forfeited, and the more they would find that he was what he had always been reputed, to be as unſullied and as unſuſpected a character as ever trod the paths of public life.

Lord *North* roſe to confirm Mr. De Grey's declaration that no ſum of money had ever been offered to, or demanded by the chief juſtice, and ſaid many handſome things of the chief juſtice's general character.

Mr. *Burke* moved for poſtponing the clauſe in his bill, for providing for the execution of the third office of ſecretary of ſtate upon its being aboliſhed; but Lord North objecting to this as the office was allowed to ſtand, and becauſe the poſtponing the clauſe implied that the conſideration of it was to be reſumed, which could by no means be admitted, the chairman put the queſtion, that the clauſe ſhould ſtand part of the bill, and it was negatived without a diſſenting voice.

The next clauſe was then read for appointing the buſineſs done by the board of trade, to be executed for the future by a committee of the privy council, as done before the inſtitution of that board.

Earl *Nugent* entered into a long and elaborate oppoſition to the clauſe. He inſiſted upon it, that was it to take place, neither the independency of Parliament, nor the œconomy for the public, could be put in a better ſituation, as the members of the privy council would require ſalaries. The noble Lord talked much of the influence of the crown, and aſſerted in very loud terms, that there was no other influence at preſent that pervaded government but a conſtitutional influence; the influence that at preſent reigned was owing entirely to the neceſſary increaſe of our navy and army, and it was nonſenſe to ſay that influence would not always naturally encreaſe with power. His Lordſhip mentioned the ſucceſs of the contractors' bill, as a proof that government had at preſent no very great influence; and again put in his objection to the clauſe, as it would coſt the public as much

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to have the buſineſs of the board of trade done by a committee of the privy council, as it did when under the management of the board of trade, as the members would require ſalaries; beſides that there would be ſecretaries to pay, and after all, great difficulty in getting as many privy counſellors as were neceſſary to do the buſineſs: for though there were a great many members ſitting at that board, his Lordſhip, and the late lord preſident [Lord Gower] had often ſat there a long while together in tête-a-tetê by themſelves. The noble Lord ſaid he did not approve of any part of Mr. Burke's plan. It only pretended to ſtrip off the lace; but, to ſpeak the truth of it, it tore away the cloth itſelf.

Mr. Alderman *Sawbridge* anſwered the noble Lord. He thought the ſucceſs of the contractors' bill was by no means a proof that the influence of government was gone. It was the ſixth ſeſſion, and gentlemen were become rather cautious how they acted, and it was to that the minds of the people owed ſuch an additional ſtrength to their cauſe; for he was afraid the converts lately made would deſert the principles they had ſo newly adopted, after the general election. The honourable gentleman adverted to the doctrine that had lately been uſed in that Houſe, of a monarchy, without at the ſame time qualifying the expreſſion. This, he ſaid, was by no means to be ſuffered; for a monarchy, without being limited, was a government as arbitrary and as deſpotic as France, Spain, or Pruſſia.

Mr. *Burke* ſtrongly urged the neceſſity there was for the committee to accept the clauſe. In the year 1680, the whole buſineſs of the board was done by a committee of the privy council, a committee of the greateſt men in the kingdom. There were Prince Rupert, Lord Shafteſbury, lord preſident of the council, Lord Angleſea, lord privy ſeal, Earl of Arlington, lord chamberlain, Earl of Eſſex, firſt lord of the treaſury, Savile Earl of Halifax, Earl of Sunderland, Mr. Godolphin, Hyde Earl of Clarendon, Lord Heneage Finch, Mr. Seymour, and Lord chief juſtice North. The honourable gentleman expatiated on the reſpective talents of the ſeveral perſons named, and was very ſure his preſent Majeſty could find very able men to tranſact the ſame buſineſs in the privy council, if he thought fit to look forward to them. There were the Earl of Shelburne, the Marquis of Rockingham, Lord Camden, the right honourable Mr. Townſhend, and the right honourable Colonel Barré, willing

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to ſerve their country in that way without any pecuniary ſituation.

To prove that a committee of the privy council were competent to the buſineſs, and very capable of tranſacting it, he inſtanced a caſe reſpecting Jamaica, when Lord Carliſle was governor of that iſland, and the government and trade of it was moſt admirably ſettled in that committee. As to defraying the expence of it, he aſked how the expence of the privy council was at preſent defrayed? The King paid it, he ſaid, out of his civil liſt, and the ſame might be done in the preſent caſe, if there ſhould be any expence attending it. But he thought it might be done now as heretofore. In the year 1681, the two ſecretaries of ſtate, Mr. Secretary Coventry, and Sir Lionel Jenkins, acted as ſecretaries in the buſineſs; and he thought thoſe perſons as able officers as any we had at preſent. The honourable gentleman thought with ſuch a committee of the privy council more might be done than with thoſe who lately had the regulation of the board of trade, as there could be no compariſon between Prince Rupert, and Lord George Germain, or Lord Shafteſbury, and Mr. Bamber Gaſcoyne.

Lord *North* ſaid there was certainly no occaſion to debate the matter, for as the board of trade had been aboliſhed, the buſineſs of it muſt of courſe be committed to a committee of the privy council.

Mr. *Burke* then proceeded with his bill, and came to the fifth clauſe, that relative to the treaſurer of the chamber, treaſurer of the houſhold, cofferer, &c. &c. he propoſed putting each office into a ſeparate clauſe, and therefore after moving that the word offices be changed to office, which was agreed to, he moved that the words "be aboliſhed," ſtand after the words "treaſurer of the chamber." The next clauſe, enacting that his Majeſty's houſhold ſhould be ſerved by contract, he ſaid, he propoſed to omit.

Sir *Edward Dering*, Sir *John Wrotteſley*, and Mr. *Ellis*, ſpoke againſt the aboliſhing the office of treaſurer of the chamber; not, they ſaid, from any regard to the office, but from a ſtrong diſapprobation of meddling or interfering with the management of any part of the King's houſhold.

Governor *Pownall* ſaid, that after the opinion which he had thrown out in the courſe of the debate, in the committee on this bill, he could not acquieſce in giving a ſilent vote, and muſt therefore beg leave of the committee, to ſtate

ſtate his reaſons. He ſaid he was the firſt who had made the diſtinction between that part of the civil liſt which went to the offices of the ſtate, and that part which went to the King's houſhold. He was, upon very ſerious conſideration of the matter as it ſtood ſimply on its own ground, and upon a thorough inquiry and examination of the proceeding of Parliament in theſe caſes, convinced that Parliament had not only a right to enquire into, and to reform the offices of the ſtate, but that it had, without contradiction, always exerciſed that power. That, however, he was convinced, it had never meddled or interfered in the King's houſhold, except in times from which he was unwilling to take his precedents. There were however precedents of proceedings in Parliament, which ſtood upon the ſame ground exactly, and were of the ſame ſpirit preciſely, as the matters propoſed in theſe clauſes reſpecting the King's houſhold. He ſaid, that in the 5th of Edward the ſecond, a commiſſion, in conſequence of proceedings in Parliament, was iſſued, for inquiring into and reforming and new-modelling the King's houſhold. That a commiſſion of the like ſort, in conſequence of like proceedings in Parliament, was iſſued in 10th of Richard the ſecond; but when he looked to the conſequence to which thoſe meaſures led, he ſhould not take them as his precedent. The firſt ended in depoſing Edward, and the ſecond in dethroning Richard. There was a wiſer and a more temperate meaſure taken in a period between theſe two—in the 50th of Edward the third—and that was, an addreſs of Parliament to the King, praying him to inſtitute an inquiry into the ſtate of his houſhold, and pointing out to him the abuſes which they apprehended reigned there, and that if he would reform them, he need not burthen his ſubjects with ſubſidies and taxes. It was on the ſpirit of this precedent, and upon the nature and ſpirit of the buſineſs itſelf, to which the preſent clauſes went. That he had ſuggeſted on another day in the committee, that although he did not approve the making the reform of the King's houſhold by an act, a ſtatute of a ſort he would not name, yet that ſuch reform ought to be, and muſt be made, and if theſe clauſes were rejected, he would bring forward a motion for ſome ſuch addreſs, a draught of which he had made, and ſhewn to one or two gentlemen. But he hoped that no ſuch motion would be neceſſary, for he thought it impoſſible, if his Majeſty ſhould, from the information or by advice of his miniſters, learn, that though the clauſes

were rejected, the idea of the neceſſity of the reform was univerſally received and eſtabliſhed in the minds of gentlemen on all ſides of the Houſe, and who voted on different ſides of the queſtion. He was ſure, therefore, that the matter muſt and would originate with his Majeſty. If no ſuch information nor advice was given by the miniſters to his Majeſty, it would be time for his Parliament to interpoſe their advice by addreſs; and ſome ſuch would be propoſed. If therefore he gave his vote againſt the enacting theſe reforms of the houſhold by a ſtatute, it was not that he diſapproved them; he not only approved them, but thought them neceſſary, and was ſure that, in ſome ſhape or other, they muſt be made.

Mr. *Burke* begged to be heard, and ſaid from the turn of the debate he feared it would be for the very laſt time upon the ſubject of his bill, becauſe if the clauſe, as he had moved it, for aboliſhing the treaſurer of the chamber was loſt, his bill was gone. In the treaſurer of the chamber conſiſted the very pith and marrow of his plan, as far as that plan was endeavoured to be changed out of theory into practice, by the unfortunate bill which he had now reaſon to mourn over as a dying friend, and to lament with all the affliction that a parent muſt neceſſarily feel for the loſs of his favorite child. He did not mean by this, that the bill being his work, he could not for that idle reaſon bear the loſs of it, but becauſe his heart and ſoul were fixed upon thoſe principles of œconomy, and that aim at the influence of the crown, which governed and were the objects of the work. The treaſury of the chamber was the very firſt office of the houſhold that he had laid his fingers on; it therefore led the way, and involved all the reſt; and as the remaining clauſes of his bill, for the moſt part, turned upon the abolition of the board of ordnance, the board of works, the mint, and other boards and offices, which made parts of the houſhold, he was reduced to the neceſſity of abandoning the whole, if the doctrine which had in the courſe of the debate prevailed, viz. "that the houſhold muſt not in any one part be touched, but that ſuch parts of the bill as went merely to the eſtabliſhments of ſtate, were fair and reaſonable ſubjects of Parliamentary reviſion and reduction," was to be admitted as a bar to the abolition of the office of treaſurer of the chamber.

In order to ſhew that he had no deſign whatever to abridge or retrench the King's expences, as had been aſſerted

aſſerted in debate, he declared that his bill did not limit or tie down his Majeſty in any one reſpect; that with regard to his table being ſerved by contract, about which ſo much had been ſaid, his Majeſty might, if he pleaſed, for any thing the bill ſaid to the contrary, contract for his table at a hundred guineas a-head, and invite a hundred people to eat at it. It did not reſtrict the quantum of money to be expended in ſupport of the houſhold, it only took care that what was expended, ſhould be wiſely and œconomically laid out, and that fraud ſhould no longer prevail in thoſe who ſerved his Majeſty with proviſions, nor the coſt be large as it now was, of thoſe who were paid for preventing that fraud. He contended, that at preſent the ſyſtem of œconomy, which had been introduced into his Majeſty's kitchen, was ſuch that even a rat could not have cheated the cooks, ſcullions, &c. of a ſcrap of cheeſe, but at the ſame time nothing was ſaved by the ſyſtem, becauſe the expence of paying cheats to watch cheats, was ſo great, that it amounted to more than it could poſſibly coſt his Majeſty, if he was handſomely cheated at once. It had been aſked what would his plan ſave?—As far as it reſpected the houſhold, he had already ſaid, that in agreeing to give up the clauſe for having the tables of the houſhold ſerved by contract, he had given up about 12,000l. out of his projected ſavings, and he preſumed, if the other parts of his bill, as far as regarded the houſhold, were ſuffered to remain, his ſavings, on that head, would amount to about 80,000l.

By way of reply to the arguments of thoſe who had talked of the ungentleman-like conduct of abridging the Sovereign, and ſtinting him in his private expences; he declared he had no ſuch intention, and the beſt proof that he had not, would be by reminding the committee, that he had not touched the privy purſe, for which a clear 48,000*l. per annum* was allotted. This ſum was more than ſufficient to enable his Majeſty to live with ſplendour and with dignity. As a proof of it, he inſtanced the Duke of Northumberland, as poſſeſſing three palaces, each of which was more ſplendidly furniſhed than any one of his Majeſty's houſes. He ſhewed that the Duke's income was not more than 48,000l. a year, and reminded the committee of the magnificence and expence which had ever characterized Northumberland Houſe, making it the

firſt reſort of the curious in all countries, from the French ambaſſador down to the loweſt emiſſary of foreign courts: eſpecially in the life-time of the late Ducheſs, whom he deſcribed as a woman poſſeſſing a noble ſoul, a ſoul fully impreſſed with the propriety of having her houſhold conducted on a ſtile of grandeur fit for the high rank and liberal fortune poſſeſſed by the Duke her huſband. In her time the fineſt pictures that could be procured, were purchaſed at any price—the expence was the laſt thing thought on;—the two noblemen her ſons, alſo were allowed an eſtabliſhment fit for princes, and all this on an income, he verily believed, ſhort of 48,000l. a year.

After fully enforcing this argument, he went into a general conſideration of the clauſe, and of the bill, as far as it reſpected the houſhold, anſwering every objection that had been made in the courſe of the debate, and contended, that one great end of his bill was the rendering it almoſt impoſſible in future for the King to run in debt, by enacting that the firſt lord of the treaſury ſhould be anſwerable that the expences of the civil eſtabliſhment ſhould not exceed the money allowed for that purpoſe by Parliament. He aſked, how could it be expected that the firſt lord of the treaſury ſhould be reſponſible, if a variety of leſſer treaſuries were to exiſt, each of which would govern the branch of the public expenditure under its direction, juſt as it thought proper? It would be unfair, it would be unjuſt, to expect a firſt lord of the treaſury to be reſponſible, unleſs the treaſury was the ſole place for iſſuing public money, and governed the whole expenditure, as well in detail, as in groſs amount.

He quoted the King of France's edict for aboliſhing the offices of comptroller-general, and a variety of others of infinitely greater import, both in point of rank and expence, than any his bill was to effect, and held it up as an example worthy to be followed, wiſhing that the noble Lord would tread in the ſteps of that moſt able financier, Monſieur Neckar. He compared his Majeſty's civil eſtabliſhment with that of the King of Sardinia, declaring that Prince had nothing like the income we allowed his Majeſty; that he nevertheleſs maintained an army of 25,000 men, and a greater number of expenſive fortreſſes than any power in Europe, France only excepted. He aſſerted, that had his bill been produced and paſſed into a law, at the commencement

ment of the preſent reign, the nation would have ſaved more than three millions of money, and his Majeſty would have lived more at his eaſe, more like a great prince, and with not one jot leſs ſplendor and magnificence.

After ſeriouſly repeating that if the preſent queſtion was carried againſt him, he ſhould conſider his bill as gone, and declaring that though he would not take any more upon him, to put his weak and diſordered frame and conſtitution to the torture, in order to fight his bill through the Houſe inch by inch, clauſe by clauſe, and line by line, he certainly would not be the man to withdraw it, but would leave it to the people to go on with it, and let them judge by the iſſue how far their petitions were able to procure the redreſs of grievances they complained of. He concluded with begging leave to tell an old ſtory by way of elucidation of what he meant. There was, he had heard, an handſome widow, poſſeſſed of an ample income, who lived in a diſſenting meeting-houſe; a well intentioned man, who attended the ſervice of the day, ſaw her, and was invited by her to viſit her; he fell in love with her, and coming directly to the point, ſaid, "Madam, will you marry me?" She refuſed him; he ſtill perſiſted in his requeſt, and ſhe ſtill refuſed. He then changed his requeſt, and aſked her to let him be her ſteward? "No, ſhe would not." Her butler? "No." Her cook? "No." Would ſhe entruſt him with the care of her wardrobe? "No." After a variety of requeſts, finding them all denied, he was going away, when on a ſudden he turned round, and begged one of her late huſband's old wigs. The widow who had refuſed all his former requiſitions, complied with this, and the man who had aſked the widow to give him her perſon and fortune, was obliged at laſt to be contented with one of her huſband's old wigs. "So is the caſe with me, ſaid Mr. Burke, I would marry the handſome and rich widow Œconomy. I fain would have her perſon and fortune, but find I can't get them. I have aſked to be her treaſurer, her ſteward, her butler, her cook, and her wardrobe-keeper, but all in vain. I have got one of her late huſband's old wigs, and with that I fear I muſt walk off contented; but only I beg the committee will do me the juſtice to remember, that I did not ſo far degrade myſelf as to aſk for the old wig ſolely."

The *Attorney General* [Mr. Wedderburn] replied to Mr. Burke. He declared that it was not treating the committee very

very candidly, to ſay, that the bill was neceſſarily gone, if the clauſe for aboliſhing the treaſurer of the chamber's office, was loſt; as if the treaſurer of the chamber wrapped up every other officer whoſe abolition was aimed at by the bill. If the committee were to be menaced in that manner, it would be in vain to diſcuſs any part of the bill; and the menace was the more extraordinary, becauſe, notwithſtanding what had been aſſerted to the contrary, the ſame principle did not apply generally to the whole bill, which conſiſted of many different parts and clauſes, each of which therefore turned upon a ſeparate and important point, and had each a ſeparate principle. Mr. Attorney ſaid, there were many of the principles which he thought highly laudable, and fit to be adopted; there were others which he could not but conſider as abſurd; in proof of this, he pointed out the clauſe for ſerving his Majeſty's houſhold by contract, which the honourable gentleman had (from the intimation of his friends and the feelings of the public upon it) been induced to leave out. Good God! how could the honourable gentleman ever reconcile this clauſe to a poſſibility of its being carried into practice? His Majeſty, had it ſtood and been ſupported by a vote of the Houſe, could not buy a ſingle piece of furniture, without the conſent of the treaſury and their previous notice. His Majeſty had lately put up a new piece of furniture in one of his oldeſt palaces. Could the honourable gentleman ever have ſuppoſed, that his Majeſty ought to be ſo unhandſomely reſtricted, that he could not have put up the new ſtate-bed in Windſor Caſtle without referring Mrs. Wright to the board of treaſury, before whom ſhe muſt have firſt produced her drawings and deſign; have ſtated the number of clergymens' daughters intended to be employed in working it, have ſtated alſo the ſeparate quantities of ſilk, ſattin, and embroidery, to be uſed in the work, and have ſtated likewiſe by a correct eſtimate the expence that the whole would come to, before his Majeſty would have had it in his power to order that which he thought proper to decorate his palace with, and the purchaſing of which, certainly was a truly royal and gracious encouragement to Mrs. Wright, and the perſons employed in making it.

He aſked if the honourable gentleman by his declaration, "that if the clauſe in queſtion was not agreed to, the bill was gone," meant to treat that Houſe like the Parliament of Paris,

Paris, and to tell them in ſo many words, that the bill was his edict, and he would have it regiſtered.

Mr. Attorney animadverted on Mr. Fox's having thrown out a kind of threat againſt that Houſe, and the Houſe of Lords, in caſe they did not paſs the clauſe in queſtion, and paſs every clauſe of the bill, by declaring that the people without doors would ſay the Houſe of Commons was corrupt, and reſort elſewhere to do themſelves juſtice. This ſort of language, he ſaid, ſpoke much too plainly a meaning that ought not to be heard within thoſe walls. In the very moment that the honourable gentleman was loud in exclamation againſt the ſuppoſed increaſe of the influence of the crown, he was ſetting up an influence of a much more dangerous nature, an influence over Parliament, not only tending to fetter the freedom of debate, but tending likewiſe to awe that Houſe in its eſſential proceedings. After reprobating this ſort of menace in very decided terms, and ſtating various objections to the clauſe, Mr. Attorney declared that he ſhould vote againſt the clauſe, either in its divided ſtate, as now propoſed by the honourable gentleman, or altogether.

Mr. *Dempſter* roſe, as he ſaid, to defend his honourable friend [Mr. Burke] who he perceived was almoſt exhauſted, from the imputation of his wiſhing that Houſe to conſider his bill as his edict, and expecting, like the King of France, that the Houſe of Commons would implicitly regiſter it on the bare aſſertion of his *ipſe dixit*, without examination and without diſcuſſion. What his honourable friend had ſaid, he declared warranted no ſuch interpretation, but it might very fairly be put on the conduct of the miniſter, who had for a ſeries of years treated that Houſe as if it had been the Parliament of Paris. If the miniſter choſe to purſue the American war, what had he to do but to bring the edict, and it was inſtantly regiſtered! If he wanted more money, no matter how much, nor how ill the people could afford it, the moment the edict was produced by the miniſter, the Houſe regiſtered it, and granted the money!

Let the miniſter want to impoſe an additional weight of taxes, what had he to do more than to come down with an edict, and it was inſtantly regiſtered, and the taxes impoſed! In ſhort, for years, the miniſter had founded his whole ſyſtem of government on edicts, which that Houſe had moſt complyingly regiſtered. Mr. Dempſter defended the

bill in a very liberal manner, and made a diſtinction between ſuch parts which ſtruck him as reprehenſible, and ſuch as he ſaw in a contrary point of view.

On the queſtion being put, that the words "be aboliſhed" ſtand after the words "treaſurer of the chamber," the committee divided,

For the motion,	-	-	-	158
Againſt it,	-	-	-	211

Mr. *Burke* having loſt this point, declared his indifference to what became of the reſt of the bill.

Mr. *Fox* however rouſed him to his wonted attention to it, by arguing on the neceſſity of their ſtill going through with the bill, and if they got ever ſo little more than they had already gained, it would be worth the ſtriving for. Even, he ſaid, if they could not obtain more than the abolition of the ſeven lords of trade, he ſhould, after having gone through the bill, think that had been worth the ſtruggle, becauſe, as he was determined, and he doubted not but his honourable friend would join with him in renewing the bill from ſeſſion to ſeſſion, till they effected the wiſhed-for purpoſe of demoliſhing the influence of the crown, they would have ſeven of the enemy leſs to fight againſt.

Mr. *Burke* admitted the force of the argument, and the committee, after a few words from Mr. Turner, went through the whole of the clauſe, negativing every part of it.

The committee then adjourned, after agreeing to report a progreſs, and aſked leave to ſit again.

The Houſe roſe a little before two o'clock.

March 21.

Colonel *Barré*, as ſoon as the above matter was got rid of, ſaid he had a motion to propoſe which he hoped would not be objected to; if it ſhould appear likely to create a debate, he would withdraw it, and move it another day. His motion was,

"That the Houſe of Commons be put into a committee on the 10th day of April next, to conſider of the extraordinaries of the army incurred in 1779, and of the moſt proper methods for limiting the expences of the army to the grants of Parliament."

The Colonel, before he ſat down, ſpoke of the neceſſity of ſtrictly examining into theſe accounts, and attempting at leaſt to provide ſome mode of reducing more of them to eſtimates in future, than was now the caſe. He complained of

of the enormous ſum to which the extraordinaries had lately ſwelled, and of the difficulties thrown in the way of all examination, declaring that when he applied at one office for particular papers relative to them, the anſwer was, that the paper he aſked for muſt be got from ſome other office, and ſo on. He referred to ſeveral pages of the printed account, and inſtanced very large ſums which were charged under one general item, without any explanation whatever.

The motion was ſeconded by David Hartley, Eſq.

Sir *Charles Bunbury* thanked the honourable gentleman for making it, and ſaid, that unleſs that part of the public expenditure, which might properly be termed the expence of the army, was voted upon eſtimate, it was impoſſible for the Houſe to know whether their vote was proportionable to the ſize of expence neceſſary, or whether the ſize of the army was equal to the objects of the war. In order to ſhew, that ſuffering the army extraordinaries to increaſe ſo much was a cuſtom of modern growth, Sir Charles read an extract from a pamphlet written by the late Sir Robert Walpole (when he was Mr. Walpole) on the ſubject of the navy debt. This extract contained a remark, that, "from the nature of the navy ſervice, it was impoſſible to produce previous eſtimates of the whole year's expenditure, as was the cuſtom for the expence of the army, which, from its different conſtitution, was always voted for by eſtimate."

The *Secretary at War* roſe, not to object to the motion, but merely to ſay a few words in reply to what had fallen from the honourable gentleman who made it. Mr. Jenkinſon then declared, that the extraordinaries of the army, amounting to ſo large a ſum, was no new matter; that more than once, in the courſe of the laſt war, they had been greater; and that as to the idea of providing ſome better mode of keeping the army accounts, it was what he moſt ſincerely wiſhed for, and ſhould be exceedingly happy to hear any ſuch propoſed. He preſumed, indeed, that among the other good conſequences of the bill for a commiſſion of accounts, which had been propoſed by the noble Lord near him, that would be one, as the army accounts would neceſſarily come under the cognizance of the commiſſioners, as well as the other public accounts. With regard to what the honourable gentleman had ſaid, about the difficulties of getting at matters relative to the army, he could only ſay, that as far as regarded his office,

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every reaſonable ſatisfaction was always ready to be given. The honourable gentleman muſt know, that the conduct of the army, at home, was all that the war-office was immediately anſwerable for; the army in America was under the conduct and cognizance of others, and it was abſolutely impoſſible to give accounts of expences relative to them, in detail, till ſuch accounts were ſo tranſmitted home. The Secretary at War mentioned the abſurd conſtitution of the army in France, which, while ſtationed, was paid by the War Miniſter, but when marching was paid by the Comptroller General; in conſequence of which, if the latter refuſed the former the neceſſary ſum for the expence of the army, he had nothing to do but to put the army in motion, and the Comptroller General muſt provide for its pay. He ſtated, that the caſe was widely different here, and that his warrants were inefficient, unleſs ſigned by the Lords of the Treaſury.

Colonel *Barré* ſaid, the honourable gentleman had made it neceſſary for him to put a queſtion or two to him relative to the extraordinaries on the table.

The *Secretary* in reply, declared he would make himſelf maſter of every doubt which the honourable gentleman had from time to time ſtated, againſt the 10th of April, and would then be ready to anſwer any queſtion the honourable gentleman might chuſe to propoſe.

The motion was put and carried.

Lord *North*, agreeable to the notice he had given on the 17th (that he ſhould this day move the Houſe, that the Speaker give notice to the Eaſt India Company, that Parliament intend to pay them off in the courſe of the three years that their charter has to run, from the 15th of April next) roſe, and ſaid, he had for ſome time paſt expected that he ſhould have received propoſals from the Eaſt India Company for a renewal of their charter, but as none had come, he thought it his duty to inform the Houſe, that agreeable to certain ſtipulations in various Acts of Parliament, the Eaſt India Company's charter would have three years to come of it, from the 25th of March, but as the ſtile had been altered ſince the bargain was originally made, the new ſtile changed the day, and carried it forward to the fifth of April, from which day therefore the Company had three years right to an excluſive trade to the Eaſt Indies, but no more, provided that Parliament gave notice to pay them off the 4,200,000l.

4,200,0000l. which was due to them from the public on or after that day. His Lordſhip owned he had ſeen certain propoſitions, which he had thought might have been made the baſis of a treaty for a new charter, but on the directors referring them to the general court, they had been reprobated by the majority of the proprietors, and other propoſitions had been framed, and ſent to him, which he thought were by no means ſufficiently advantageous, nor ſuch as, in his opinion, the public ought to accede to. He ſtated the right of the public either to the whole of the territorial acquiſitions and revenues, or if the company were allowed to hold the excluſive trade longer, to a participation of the profits—the Company however not having offered him ſuch propoſitions as appeared fit for him to treat upon, it was his duty to ſtate the matter to the Houſe, and to make the neceſſary motion. In order to ground it properly, he moved that

"The act of the 17th George II. cap. 17, be read, as alſo the 4th, 9th, 11th, 12th, 13th, and 15th ſections."

"That notice be given, that the capital ſtock or debt of 4,200,000l. and all arrears of annuity due and payable in reſpect thereof from the public to the united company of merchants trading to the Eaſt Indies, be paid on the 5th of April, 1783, agreeable to the power of redemption in the ſaid act."

Mr. *Fox* roſe, to give a negative to the motion. He aſked whether the noble Lord was not content with having loſt America? Or, was he determined not to quit the ſituation in which he ſtood, till he had reduced the dominions of the Crown to the confines of Great Britain? What good could the preſent motion be attended with, or rather, what evil might it not produce? The motion was a threat, and the idleſt of all poſſible menaces, becauſe it was made at a time, when the noble Lord knew in his own mind, that he neither intended nor was capable of carrying it into execution. Why then throw it out, unleſs the noble Lord wiſhed to ruin the Eaſt India Company's poſſeſſions in India, and to deprive this country of the ample revenue ſhe received through the commerce and trade of that Company? It was ridiculous, it was dangerous to threaten, when men dared not perform what they threatened. Let the noble Lord, let the Houſe, turn their eyes to the probable conſequences of that threat! Good God, what a ſcene of anarchy, confuſion, diſtreſs, and ruin, would it not occaſion! Suppoſing even for a moment that the noble Lord really intended putting his threat in execution, and was capable of doing it, muſt not the public ſuffer conſiderably? How was the money to be paid off? Did

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not the noble Lord know he was obliged to pay the debt at *par*, and therefore as the 4,200,000l. ſtood at the intereſt of three *per cent.* and three per cents. were at ſixty, the public muſt neceſſarily loſe a clear forty *per cent.* by every 100l. they paid off. But how was the noble Lord to ſecure the revenues which the public were to derive from the territorial acquiſitions of the company? How was he to get them home? Did not the noble Lord know that the company was the beſt medium through which they could poſſibly paſs? Had he a plan for any new Company, and had he a deſign to eſtabliſh a new company on the ruins of the preſent? Was that the noble Lord's gratitude to thoſe to whom his country was ſo highly obliged, as the preſent Eaſt-India Company? The noble Lord muſt know that he could not by law grant an excluſive trade to a new Company, and where would his new Company, if any ſuch project he had in view, get their capital? He muſt know that the Company would laugh at his idle menace; at leaſt he hoped to God they would, and not take it as a ſerious matter, meant to be followed by the paying off the 4,200,000l. If they did, woe be to the revenue, woe be to the public, woe to all our acquiſitions in India! The Company, if they expected a diſſolution, might put every thing in India to the riſque, in order to get home as large a ſtock as poſſible, that their ultimate dividend might be ſwelled. Thus their preſent induſtry, ſerviceable and beneficial as it was to themſelves and to the public, would be diverted from its courſe, and be rendered dangerous and prejudicial to the public in the extremeſt degree.

Mr. Fox ſaid, he had ſeen in newſpapers, the propoſitions agreed on by the general court of proprietors and rejected by the noble Lord. They certainly were not altogether ſuch as he ſhould approve, but comparatively conſidered with a diſſolution of the Company, they were moſt advantageous and deſirable. The one muſt lead to certain ruin, the other to great wealth and great revenue. He imputed the bad underſtanding between the Company and the noble Lord, to the noble Lord's having attempted to poſſeſs himſelf of the patronage of the Company, and having by the means of his ſecretary endeavoured to carry every thing his own way in Leadenhall-ſtreet, declaring that he ſuppoſed they would not, on that account, treat with the noble Lord at all. After a variety of warm expreſſions, all tending to ſupport the idea that ruin would follow to the revenue derived from the commerce of the Company, and that we ſhould loſe all we had acquired in India, if Parliament broke with them, and ſeriouſly gave them

the notice the noble Lord had moved, he concluded, with earneſtly exhorting the noble Lord to change his intention, and not to act hoſtilely againſt the Company, at leaſt at preſent.

Lord *North* denied in the moſt direct terms his having ever attempted to poſſeſs himſelf of the patronage of the Company; the imputation was wholly unmerited by him, and the aſſertion was not founded in fact. He had, as he had frequently ſaid, occaſionally recommended a perſon, but he defied any man to prove, that he had ever once aimed at obtaining the patronage of the Company; the gentlemen with whom he had from time to time treated, would, he doubted not, do him the juſtice to declare, that from what had paſſed on thoſe occaſions, there was not the leaſt appearance of his having, or wiſhing to have, the patronage which had been alluded to.

The honourable gentleman had called his motion a threat and a menace; he begged leave to ſay, that it was not meant as a threat; it was meant merely as putting in a claim on the behalf of the public, to the reverſion of a right which undoubtedly belonged to them, at that moment when it was eſpecially proper that it ſhould be formally made. Did gentlemen conſider, that if the notice was not now given, the Company would unavoidably hold in their poſſeſſion that which ought in three years (unleſs a proper ſatisfaction was made for a new leaſe) to revert to the public, longer than they ought to hold it, and longer than it was intended that they ſhould hold it, when the charter was renewed, as was then expreſsly ſtipulated. The honourable gentleman had declared that the Eaſt-India Company would laugh at the notice, becauſe they muſt know that it could not be ſeriouſly intended; it would be the Eaſt-India Company's fault if the notice was carried into execution. But he would not have the honourable gentleman ſuppoſe that if the preſent Company broke up and divided their ſtock, that the public would, as a neceſſary conſequence, loſe the revenues ariſing from the territorial acquiſitions in India. He truſted there were means of ſecuring both the one and the other. He did not wiſh to break with the preſent Company, he did not deſire to drive them to the neceſſity of a diſſolution, but the Company ought not to imagine that the public lay at their mercy. The public had a right to look for great reſources from the Company, and from the territorial acquiſitions in India. The Company as it was now eſtabliſhed, he was free to own, was the beſt medium of bringing home the revenues from the Indies; but if the Company were ſo unreaſonable and ſo thoughtleſs as not to come to a fair bargain with the public, a new Company might

might be formed, and ſuch plans adopted as might remedy the evil threatened to the revenue.

Mr. *Burke* ſaid he execrated the narrow idea of bargaining with the Eaſt-India Company as if we were treating with an enemy, and on the ſuppoſition, that every thing we did not get by the bargain, was ſo much loſs to us. He reprobated the intention to give notice to the Company, according to the motion, as the moſt wicked, abſurd, abandoned, profligate, mad, and drunken intention, that ever was formed! he reprehended alſo in the ſtrongeſt terms of ridicule the ſpeculation of a new company, declaring, that like a new Miſſiſſippi ſcheme, it was only fit for ſuch a bubble projector as Mr. Law; he aſſerted in round and direct terms, that the attempt would be big with ruin to all who ventured on it; he allowed that in this country, there might always be found men enough who were ready to bite at a bubble, but declared, that thoſe who were ſo weak and incautious to join in ſuch a mad and drunken ſcheme, would loſe their all by it; this, it might be ſaid, was mere ſpeculation, ſo was the noble Lord's idea of a new Company, and till they were tried, his ſpeculation was as good as the noble Lord's. He contended that Parliament were not ripe to come to a deciſion on a point of ſo much importance, as that of giving the Eaſt-India Company notice, that Parliament would pay off the 4,200,000l. Before the Houſe attempted that raſh ſtep, before the noble Lord hazarded his ſpeculation of a new Company, the ſtate of the Company's accounts ought to be laid before them, the ſtate of the acquiſitions in India, the ſtate of the revenues, and every other paper and document that could enable the Houſe to form an opinion and judge for themſelves; he repeatedly aſſerted, that they were not yet ripe to form any ſuch opinion or any ſuch judgment. It was the rapacity of the miniſter to gain a great revenue from America, that had loſt us the thirteen colonies. Let that be a warning to the Houſe not to let the revenue miſlead them again. Let them regard the Eaſt-India Company as their friends, as their beſt commercial allies, and as their brethren. The noble Lord talked of the public, and the rights of the public; the Eaſt-India Company was a part of that public; as dear to the Houſe, and as worthy their attention, as the noble Lord and his ſpeculations of revenue, as any miniſter who now did or ever had exiſted. After purſuing the ſubject with great animation, and in the moſt glowing terms, Mr. Burke ſpoke more coolly, and ſaid, he aſked pardon if he had been betrayed into too much warmth, but the vaſt importance of the ſubject had impreſſed itſelf ſo ſtrongly

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on his feelings, that it was impoſſible for him, on hearing ſuch a fatal, ſuch an alarming motion, to ſpeak of it with moderation. He urged the noble Lord not to preſs the motion at preſent, and concluded with moving the previous queſtion.

Mr. *Gregory* expreſſed a wiſh, that government would come to ſome agreement, without treating on the conditions in Parliament. He agreed with both the honourable gentlemen who ſpoke before him, that the Houſe ought not to enter into the buſineſs in a raſh, precipitate manner, but conſider it with all poſſible caution and circumſpection; an affair which, in his opinion, called for the united wiſdom of the ableſt men in the kingdom. He profeſſed his readineſs to aſſiſt in giving the beſt information which a reſidence of upwards of twenty years in the Eaſt-Indies had enabled him to collect; and earneſtly recommended to both ſides of the Houſe, to conſider the queſtion as a great queſtion of ſtate, in which the intereſt, power, and dignity of this country were moſt eſſentially concerned.

Mr. *Rous* made a long ſpeech, and ſpoke with great warmth. He deſcribed the interior of the country, the miſmanagements and oppreſſions committed by the nominal ſervants of the company, who were countenanced and ſupported by a faction in government at home. The government, it was true, was carried on under the name of the company, according to the forms of its conſtitution; but it was equally true, that miniſters here had created a power and intereſt on the ſpot, which defeated every meaſure adopted in Leadenhall-ſtreet. In a recent inſtance, well known, government had been ſubverted there. He then ſpoke of the arreſt and impriſonment of Lord Pigot, and entered into ſeveral of the particulars which came out in that tranſaction.

Mr. *Stratton* roſe to juſtify his conduct; ſaid the government had not been ſubverted; that the ſteps taken on that occaſion were neceſſary, and prevented the ſubverſion which had been unjuſtly attributed to the actors of that buſineſs.

Mr. *Rous* ſaid, he was aſtoniſhed how the honourable gentleman could pretend to ſay, that the government at Madras was not ſubverted. The honourable gentleman diſclaimed the having any concern or any thing to do with the claim of Mr. Benfield on the Rajah's country, under the pretence of money lent to the Nabob, on the revenues, or crop; but when the honourable gentleman was ſo ready to pledge his honour, as having no concern with Mr. Benfield, would he go a little farther, and pledge it, that he, nor the perſons with whom in this tranſaction he had acted, entered into no pri-

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vate treaty with the Nabob, his ſons, or his agents, for defeating the purpoſes for which Lord Pigot was ſent out by the company, namely, the reſtoration of the Rajah of Tanjore to his dominions, which had been wreſted from him by the aid and aſſiſtance of thoſe very perſons, who afterwards oppoſed that Prince's reſtoration; and when they found that impracticable, oppoſed the giving the Rajah the poſſeſſion of his country, unleſs he acknowledged himſelf bound to repay what they pretended to have advanced to the Nabob on the revenues of Tanjore.

Mr. *Stratton* repeated his former aſſertion, that the government had not been ſubverted; that he had undergone a trial for the facts now charged againſt him; that the ſentence upon that trial plainly ſhewed, that none of the perſons concerned in the arreſt of Lord Pigot were deemed as having intended to ſubvert government; and as to any private treaty with the Nabob, he could repeat upon his honour, that he never was a party to any treaty with him, nor did he believe any ſuch ſuppoſed treaty ever exiſted. He acted from a ſenſe of duty, and was ready to contend, that the conduct of the majority of the council originated in motives, not of choice, but of the moſt extreme neceſſity.

The *Attorney General* [Mr. Wedderburne] obſerved, that no man was more ready to give credit to the aſſertion of a gentleman given upon his honour than he was; but private aſſurances, however reſpectable, had no weight with him, when they militated againſt public judgments, legally and ſolemnly pronounced. Nay, he would go farther, not even oaths. The honourable gentleman had been convicted by the verdict of a jury, by the legal and conſtitutional voice of his country, of having ſubverted the government of Madras. He was not therefore permitted to doubt of the fact, ſo far as that went. As to the honourable gentleman's intentions, as ſet forth in his affidavits ſworn to in common with others, he by no means intended to controvert the truth of them. Whatever they might be, however true, ſtill he was entitled to ſay, that the charge of having ſubverted the government was not only proved, but declared by the judgment of his peers.

It was not his buſineſs, in that place, to review the ſentence paſſed upon the honourable gentleman and his colleagues. The court did not think that the facts found were ſuch, or ſo laid, as to juſtify the ſentence prayed by him, acting under the direction of that Houſe. The court might have, in ſo doing, acted very properly; but ſtill the material part of the charge was maintained, though the intention of the offenders

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ſo far wrought on the court, as to mitigate the ſeverity of the ſentence. The argument of intention, if carried its full length, would go to the impeachment of the ſentence, as well as the verdict. That, he believed, was not what the honourable gentleman meant; he ſpoke, he preſumed, to the meaſure of the puniſhment, not to ſay that no puniſhment was due, becauſe no crime had been committed.

Sir *G. Wombwell* denied that adminiſtration had improperly interfered in the affairs of the Eaſt-India company. They had done nothing but their duty. The public, upon a renewal of the charter, had moſt certainly a right to impoſe terms upon the Eaſt-India Company, and had no other bounds in dictating thoſe terms than the general intereſt. That general intereſt could be no otherwiſe ſupported than by fair, equitable, practicable terms on the part of government. If they were ſuch as the company would not be able to perform, the conſequence would be, that the company muſt be ruined, and the nation be diſappointed; in truth, their intereſt was ſo inſeparably connected, that it was impoſſible to ſerve and hurt one without materially ſerving or hurting the other.

This being his opinion, he ſupported the propoſitions made by the noble Lord to the directors in the general court; becauſe, though perhaps they did not meet exactly his ideas, they afforded a proper baſis for a treaty, to be afterwards modelled in Parliament. The proprietors propoſitions ſtood partly in the ſame predicament, though farther removed off the true ground; but this he would ſay, that either or both contained matter very fit for Parliamentary diſcuſſion, where they muſt come, in any event, at laſt to receive the ſanction of the legiſlature. The preſent motion, beſides being ſanctioned by the authority of an act of Parliament, naturally led to that point. It would of courſe bring the whole buſineſs under the conſideration of that Houſe, where only it could be finally adjuſted.

The *Attorney General* went very fully into the ſubject of the local government in India; ſaid it was conducted upon very improper ideas, and called moſt loudly for the interference of that Houſe, where only the evil could be corrected.

About forty years ſince a ſyſtem of oppreſſion had been adopted by the Indian Princes. A ſeries of uſurpations, ſtruggles, and civil wars, firſt gave birth to it. Princes were depoſed, competitors daily roſe up, and uſurpations almoſt yearly happened within the empire of Indoſtan. The victor or uſurper, having acquired dominion by force and violence,

had no intereſt in the dominion thus acquired. He looked upon his throne to be held by a very precarious tenure, and of courſe endeavoured, by extortion and oppreſſion, to amaſs money during his temporary government, for the purpoſe of enabling him to defend his crown againſt the next competitor, or to render himſelf a rich individual when it ſhould become his turn to be diſpoſſeſſed. Hence the ſubject was oppreſſed beyond meaſure. The full value of the ſoil, that being the ſource of all revenue in India, was taken, and the tenant or landholder, inſtead of labouring for himſelf and the ſtate, was compelled to labour only for the lord of the ſoil. He would appeal to gentlemens' experience and feelings, whether that country muſt not in the end be ruined or depopulated where ſuch a policy prevails? This might be excuſed in ſome meaſure in thoſe whoſe religion, manners, and policy taught them to ſuppoſe, that the many were created for the purpoſes of adminiſtering to the enjoyments, happineſs, and dignity of the few; but under an Engliſh government, ſuch an idea was to the laſt degree prepoſterous, impolitic, and abſurd. What, however, had the Eaſt-India Company done? They had copied the barbarous policy of thoſe to whoſe poſſeſſions they ſucceeded; they copied the ſame ſyſtem of oppreſſion, by which at length they defeated the only end ſuch a ſyſtem could anſwer, that of enormous ſums drawn from the ſweat and toil of the miſerable inhabitants.

To reform this ſhameful abuſe ought to be, in his opinion, one great object with Parliament. He thought the people, beſides the ſcanty ſubſiſtence they drew from their labour and induſtry, ought to have an intereſt, a ſtake in the government of the country they lived in; they ſhould be rewarded for their induſtry. It would hold them by ties the moſt indiſſoluble to a government which held out perſonal rewards for honeſt induſtry. It would create an affection and attachment; it would render them not only uſeful, but dutiful and loyal ſubjects; but above all, it would give a permanency and ſtability to our government, which could not be acquired by any ſtrength or terror derived merely from the ſuperior ſkill and bravery of our troops. The Britiſh ſubjects in Indoſtan muſt ſoon ſee the difference between them and the ſubjects of the Mahometan and native Princes. This, ſooner or later, would naturally lay a foundation of ſtrength and internal proſperity, which would render our poſſeſſions in that country as permanent as any one part of the Britiſh empire. He would therefore recommend to the Houſe, when the affairs of the Eaſt-India Company came before it, to pay a ſpecial attention

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to this particular. The preſent territorial revenue, as he heard in the courſe of the debate, had been ſtated at three millions four hundred thouſand pounds *per annum*. He would maintain, that though ſome defalcation ſhould be made in the rents to the landholders, that defalcation would be amply made up in other reſpects. The revenues would be more regularly paid; there would be fewer deficiencies; in ſhort, in every point of policy, commerce, population, and even revenue, he was perſuaded that the adoption of the plan which he had thus haſtily thrown out, would be found much preferable to the preſent ſyſtem of perſonal oppreſſion, and all the miſchiefs which ariſe from impoſing rack-rents upon the wretched people of that country.

Lord *Ongley* called upon the noble Lord to know why he was in ſuch a hurry to give notice to the company. He was not obliged to give notice till the 5th of April. His Lordſhip alſo ſpoke to various other matters relative to the ſubject.

Lord *North* replied, and explained the meaning of his preſent motion; a motion which precluded no propoſitions to be hereafter made by the company, nor prevented Parliament from acceding to any, but which of neceſſity he was bound to make at that time, or let a year of the publick's right to the reverſion of the trade ſlip away, and without any conſideration.

Mr. *Huſſey* approved of the noble Lord's motion, and in reply to one of the ſpeakers, who had termed the Eaſt-India Company great and glorious, he denied that they deſerved thoſe epithets, declaring that the company ought to be regarded with a jealous eye by Parliament, or from groſs miſmanagement the directors would loſe all our acquiſitions in India. He thought the propoſitions, which the directors had propoſed as having been aſſented to as the baſis of a treaty by the noble Lord, ſuch as the company ought to have acceded to, and being a proprietor, he had voted at the general court accordingly.

At length the Houſe divided on the previous queſtion,

Ayes -	68.
Noes -	142.

The original queſtion was then put and carried.

This buſineſs over, Mr. *Fox* moved, "that a liſt of the names of the perſons who ſubſcribed for this year's

loan of twelve millions be preſented to that Houſe."—Ordered.

Lord *North* brought in his bill for appointing commiſſioners of the public accounts; upon this

Colonel *Barré* roſe, and after taking notice of the very unhandſome manner the noble Lord conducted himſelf, in taking the buſineſs out of his hands, produced a bill which had been paſſed the 2nd of William and Mary, and which had been almoſt literally copied in the 10th of Queen Anne. It was not neceſſary to enter into any narrative, he ſaid, how it came to paſs that the great objects held out by both bills were eventually defeated. It was ſufficient for him to obſerve, that ſuch a bill, exactly the ſame in title with that now preſented by the noble Lord, had been paſſed at the period firſt alluded to.

He then proceeded to ſtate the difference between both bills. The preſent bill went only to three points, the mode of accounting, the defects in that mode, and report of the balances in the hands of certain officers in high truſt. The bill in his hand went generally to the whole of the public expenditure, to the treaſury, admiralty, navy, army, all the ſubordinate boards and public eſtabliſhments, and what was now deemed a kind of political blaſphemy, even to the ſacred expenditure of the whole of the civil liſt. He had that act in his poſſeſſion for ſome days; ſometimes at home, ſometimes in his pocket, but never out of his poſſeſſion. When it had been ſtrongly contended by ſeveral gentlemen on the oppoſite benches, of the firſt weight and authority in this country, one of them profeſſing himſelf a revolution whig, [Lord Weſtcote] and the other a learned gentleman [Advocate of Scotland] who contended, that no precedent previous to the revolution ought to be attended to, but every precedent ſince ought; it might ſeem ſtrange that he had not ſtood forth and produced the precedent which he held in his hand. He had ſome reaſons for not doing ſo; at one time the act was not in his pocket, when it was he declined to produce it, for motives which he was not obliged to explain. But more particularly it might be aſked, when many of the ſupporters of his honourable friend's bill [Mr. Burke] diſſented reſpecting the clauſe which was loſt in the committee the preceding evening by a great majority, and teſtified their diſſent merely on the ground of impropriety and want of precedent, why he had not produced the act as a precedent perfectly applicable? All he thought fit to ſay

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was, that he was much indiſpoſed, and unable to ſpeak, on account of a hoarſeneſs, which the Houſe, he preſumed, could not help obſerving he ſtill laboured under. Indeed, he ſpoke with ſo much pain, that nothing but the abſolute neceſſity of ſaying a few words could have induced him to riſe.

He next proceeded to the two concluding clauſes of the act, which he ſaid contained the moſt unequivocal proofs, that not only the affirmative or directory part of it went to an enquiry into the whole of the expenditure of the civil liſt, but that the proviſo ſtated the ſingle exception to the general rule. He then read the proviſional exception; "that nothing in this act ſhould extend, or be conſtrued to extend, into any enquiry reſpecting the iſſue of money for the uſe of the privy purſe, or for ſecret ſervice." This proviſional exception was however further modified by the concluding proviſo: "provided always, ſays the act, that the ſaid enquiry do extend to all penſions, &c. payable, due, or growing due, which have been granted ſince a certain day in the month of November, 1688, to the ſeſſion in which ſaid act was to take its commencement; namely, the year 1691."

So that not only the whole of the official eſtabliſhments, navy, army, ordnance, and all the ſubordinate boards, were the objects of the act of 1691 and 1711, but likewiſe the civil liſt expenditure, under the two heads of the privy purſe and ſecret ſervice; the latter of which was not exempt from enquiry, ſo far as the ſame might be iſſued in private penſions withheld from the public eye.

After having very fully commented upon the direct variance both in principle and object, between the bill now preſented by the noble Lord, and that which he had read, he begged leave to aſſure the noble Lord, that he was miſtaken, if he imagined that the petitioners, or the great body of the people of England, were to be impoſed upon by the bill now preſented. They were not ignorant how that bill came into his hands, or in the manner, he would ſay the ungentlemanlike, uncandid manner it had been wreſted out of his. It would, after what he had now ſtated, require no great induſtry to perſuade them, that his bill, had it been permitted to proceed, would have proved ſomething extremely different from the ſhameful impoſture, the ſcandalous deceit, endeavoured to be put upon them by the ſhadow now propoſed; they would, they muſt perceive, that the preſent bill

meant nothing, even of what it pretended to import, much leſs of any thing ſubſtantial, or which went to the root of the evil. It was a cheat, a ſcandalous cheat, of the moſt groſs kind and clumſy texture. He truſted the people of England would conſider it as ſuch; he felt, he was perſuaded they would; and perceiving not only that it was meant to anſwer no ſubſtantial purpoſe, but that, under the idea of doing ſomething, it was meant as a trick on the public, to divide, diſtract, and ſow diviſions among thoſe who virtually meant the ſame thing, but who, acting upon what were called moderate principles, might be detached from the great body of the people, under a falſe notion, that altho' every thing could not be obtained at once, conſiderable advances might be made in the great ſcheme of public reformation.

He did not riſe to oppoſe the bill in this ſtage. Whatever incurable defects it might have in its firſt information, the principle of it commanded his hearty approbation. The bill was ordered to be printed; when printed he would be enabled to ſpeak to the particular parts of it with more preciſion. An eſtabliſhment, he perceived, was to be made, clerks appointed, and commiſſioners, with ſalaries annexed, and he preſumed conſiderable ones. With theſe minor conſiderations he had nothing to do at preſent; but before he ſat down, he would, hoarſe as he was, ſay a word or two on a ſubject not directly coming within the ſubject of the preſent bill, but in point of effect, and originating from his own early intentions, nearly connected with it. What he alluded to was relative to two motions which he took the liberty to make about three weeks ſince (ſecond of March) the day the noble Lord firſt avowed his intention of taking the bill, now in the hands of the chair, out of his who was the author of it. [Here the Colonel entered into the *minutiæ* of that tranſaction, and appealed to the Houſe if he had not fairly ſtated it, with all its relative circumſtances.]

One of the two motions made by him that day went to the laying before the Houſe the progreſs of the public money, from the time it was taken or extorted from the pocket of the miſerable, oppreſſed contributor, till it reached the exchequer; and ſo on till its final receipt; and from the commencement of the firſt iſſue till it reached the perſon for whom it was originally deſigned, the ſoldier, the ſeaman, &c.

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He had drawn up a motion for that purpoſe. Before he ventured to ſubmit it to the Houſe he ſhewed it to the noble Lord; he conſulted him on the propriety of the terms in which it was drawn up. His Lordſhip approved of it. He afterwards made it, and the Houſe having adopted it, it was no longer his but theirs. At the time he propoſed the motion he accompanied it with a ſhort explanation, and an application particularly addreſſed to the noble Lord, beſeeching his Lordſhip's aſſiſtance, and honeſtly confeſſing how futile and nugatory it would be to make ſuch a motion without it was firſt underſtood the noble Lord ſhould promiſe, not a general, but a direct, ſpecific, and ſincere aſſiſtance. The noble Lord did pledge himſelf, not to him alone, but that Houſe, for ſo ſoon as the motion was adopted it belonged not to him but to the Houſe. He had before pledged himſelf as a gentleman to him; yet what has happened? I am not ready to make in this Houſe charges merely perſonal; but this, on the preſent occaſion, I will ſay, that the noble Lord broke his word with me, as a gentleman. I ſhewed him the motion before I made it. I ſuggeſted my doubts. I feared my ignorance of technical language of office. I conſulted the noble Lord. I entreated his aſſiſtance, he promiſed it. He read the motion; he approved of it; yet the noble Lord, at the end of three weeks, ſeems to forget every thing he ſaid then; every thing he promiſed. The motion went, it of courſe became the motion of this Houſe. I endeavoured to inform myſelf on the ſubject. I conſulted with one of the ſecretaries in the noble Lord's department [Mr. Robinſon.] I told him what had been done in conſequence of the order of the Houſe. I called upon gentlemen in the reſpective offices at the exchequer, and preſſed expedition in making out the accounts moved for. I called at the auditor's; they directed me to the chamberlain, the chamberlain to the pells, the pells to the tellers, and ſo on, *ad infinitum*. When I endeavoured to make myſelf underſtood, they reſpectively ſtared, and ſeemed ſurpriſed, and alternately ſhifted me off from one to the other, till, I vow to God! I was inclined to believe, that the motion I alluded to was only agreed to in order to render me ridiculous and expoſe my ignorance. As I ſaid before, I applied to the honourable gentleman, who is one of the ſecretaries of the treaſury. He gave me ſome little light. At one office, my motion deſcribed a period from Michaelmas, 1778, to Michaelmas, 1779. I was informed

formed that the accounts were made up from Chriſtmas to Chriſtmas; in another, that they were made up in the manner deſcribed in the motion; that it could anſwer no ſubſtantial or effectual purpoſe, becauſe the accounts conſiſted not ſolely, or perhaps of effectual receipts, in the year 1778 or 1779, growing and becoming due in thoſe years, but in monies of two or three years back, which had not been before paid in.

Good God! what a ſtate of trick and impoſition is this! I am not very vain, nor if I were, ſhould I be ready to betray any ſymptoms of it in this Houſe; but I am not aſhamed to ſay, that if the noble Lord in the blue ribbon were as honeſt a man as I am, he would ſcorn to act ſo diſingenuous and uncandid a part. Why not honeſtly ſay, I will oppoſe your motion? I do not like it, nor will I agree to it; or I do not underſtand it, conſequently it is not ſuch as I can give an opinion upon. I do not know that it will, or will not, anſwer your expectation; therefore you muſt apply to others more converſant in the buſineſs of the exchequer than its chancellor, or you muſt exert your own induſtry. This would have been the conduct of a fair and honeſt man; but, under the ſhameful pretext of active approbation, for the noble Lord to privately plume himſelf in gaining three weeks, by a mere trick, which his high ſituation enabled him to play on this Houſe, was an act ſo much beneath him, either as a member of this Houſe, or the oſtenſible miniſter of this country, at leaſt the finance miniſter, that I want words to expreſs my indignation and ſurprize.

The Colonel went into ſome further explanation of the ſame tendency, and concluded with hoping, that the independent part of that Houſe, and the nation at large, would retain a proper ſenſe of the conduct of the noble Lord, and of the uncommon induſtry he had exerted, in endeavouring to defeat the wiſhes of the people.

Lord *North* ſaid, he was not then prepared to enter into a debate on the bill, becauſe the preſent was not the proper ſtage. When it came to that, he ſhould ſupport it, to the beſt of his abilities, and aſſign ſuch reaſons, as ſeemed ſufficient to him to determine his judgment. The honourable gentleman had read the copy of an act of Parliament, paſſed upon a particular occaſion, to ſhew, that Parliament thought they were veſted with a power to enquire into and controul the civil liſt expenditure. He believed no man would undertake

dertake to controvert the right, in every poſſible caſe, that could be put, or in every poſſible ſituation; but thoſe who argued for the application of the general principle in the preſent ſtate of public affairs were bound to prove, in his opinion, that it became neceſſary to carry it into execution; otherwiſe, their argument amounted to this; that whatever Parliament might do at one time, they ought, becauſe they had a right, to do at another. He begged pardon of the Houſe, for he perceived that he was inſenſibly tending towards a debate upon the bill, which he by no means meant; the queſtion ſimply before the Houſe being, whether the bill ſhould be read a ſecond time? The honourable gentleman ſaid, he did not riſe to oppoſe that motion; he ſhould therefore turn his attention to that part of the honourable gentleman's ſpeech, which required an anſwer, and which he ſhould give as far as he was able; particularly as it contained an accuſation againſt him of a want of candour, and a breach of promiſe.

The honourable gentleman ſaid, that he ſhewed his intended motion for laying before the Houſe an account of the monies received or paid by the contributor through the whole progreſs and receipt, till its firſt iſſue at the exchequer; and from thence in its ſeveral iſſues till it came to the hand of the perſons for which its uſe was originally deſtined. He acknowledged it; and that he gave private aſſurance to the honourable gentleman, that having approved of it, he would do all in his power to give it effect. He further acknowledged, that when the motion was afterwards propoſed, and the honourable gentleman called upon him for his aſſiſtance, he added a public aſſurance, of the ſame nature, which he had before given in private. So far then the honourable gentleman and he perfectly agreed on the ſubject of what paſſed on that day, both in private converſation, and afterwards in the Houſe, and from theſe promiſes the Houſe would be enabled to judge, how far the charge of a want of candour, or breach of promiſe, was fairly imputable to him.

He had on the very firſt opportunity, after the vote paſſed, given the moſt full and direct orders to the officers and clerks, in the ſeveral offices under his controul, to comply with the order. In the treaſury, directly under his own eye, he gave ſpecific directions, as well as general inſtructions. On the application of an honourable friend of his [Mr. Robinſon] alluded to by the honourable gentleman, he deſired him to convey

vey a meſſage to the ſeveral officers under his immediate controul, as Chancellor of the Exchequer. The honourable gentleman ſaid, that he had applied to his honourable friend, who, after conſulting the officers in the Exchequer, ſaid, that the order, as it was drawn up, could not be complied with. If that ſhould happen to be really the caſe, he hoped he ſtood free of any charge. The honourable gentleman's not having drawn up his motion in ſuch a manner that it could be practicably obeyed, was ſurely no fault of his. The honourable gentleman had, in fact, acknowledged the inefficiency of his own motion; ſays he, The period deſcribed was from Michaelmas to Michaelmas, in one of the offices; the accounts being made up to Chriſtmas each year, it was impoſſible to comply with the order. Again, he has told you, that the receipt between Michaelmas 1778, and Michaelmas 1779, is not the actual receipt of that particular year, but is compoſed of monies due and payable for the two or three preceding years, though not actually paid in, till within the period ſtated in his motion. Says the honourable gentleman, I went to the Auditor's office, and was told I was wrong; that I ſhould have gone to the Remembrancer's, and when I came there, received a ſimilar anſwer, by being referred to the Pells, and ſo on to the Tellers, the Chamberlain, &c. All this may be very true for ought I know, but how this can be adduced as a proof of my breach of promiſe, or want of candour, I confeſs ſincerely I am at a loſs to comprehend.

I do aſſure the honourable gentleman, however ready he may be to throw blame upon me, that I gave the moſt full, ſpecific, and unequivocal inſtructions, that the order might not only be literally, but ſubſtantially complied with; and without aſſigning any other reaſon, I think the honourable gentleman, ſuppoſing even I were reſponſible for the effect of his motion, has rather been too impatient and precipitate in his cenſure. He has ſtated it to be very extenſive, and directed to a great variety of objects. I believe it is not more than ten days ſince the order was made; and yet he preſumes that there is an intention to defeat it, becauſe the whole of the materials have not been laid before now on that table. [Told the motion was moved and paſſed on the 2d of March, three weeks ſince, all but one day.]

His Lordſhip ſaid, that made no eſſential difference; for there was no ſaying that any improper delay had been made, without the time allowed and the duty performed were fairly meaſured againſt each other.

Colonel

Colonel *Barré* re-ſtated ſhortly ſome of his former arguments He was not ſurpriſed that ſo much induſtry had been uſed, in order to defeat the object of his motion; for if ever it ſhould be fully complied with, which he truſted the Houſe would take care it ſhould, as it would no longer be his motion, but an order of the Houſe unanimouſly carried, ſuch proofs of fraud and peculation would be diſcloſed as would not only fill the public with indignation, but ſhock ſome of the warmeſt friends of the preſent adminiſtration. As to the plauſible defence made by the noble Lord, and his ingenious acknowledgment of a promiſe of aſſiſtance, it amounted to juſt nothing. The fact was, that he had conſulted the noble Lord upon the propriety of the motion before he made it; that if it was inadequate to the purpoſes for which it was framed, the noble Lord ſhould have been candid enough to have pointed out the defects, and propoſed a remedy at the time; conſequently the noble Lord muſt either acknowledge his ignorance of the high office he held in the Exchequer, and the eſtabliſhed mode of making up the accounts there, or ſtand convicted of a want of candour and breach of promiſe. It was impoſſible for his Lordſhip to evade or avoid one or the other part of the alternative; and he moſt readily left the Noble Lord to his choice. He truſted, however, that the Houſe would take up the matter, after the receſs, in the light of a public document. The motion was no longer his: it belonged to the Houſe, as ſoon as it received their ſanction; conſequently they were bound, in reſpect of their own authority, to give it effect. The petitions of their conſtituents, beſides, went to a reform of the public expenditure; and that, he hoped, would be a further incitement, when it was notorious, that it would be impoſſible to reform abuſes in the expenditure of the public money, till the mode of expenditure, and of courſe the abuſes, if any, ſhould be firſt known.

The bill was read the firſt time, and ordered to be read the ſecond time after the Eaſter holidays.

Mr. *D. Hartley* moved for leave to bring in a bill for limiting the number of placemen. Leave was given.

March 22.

Hon. *J. St. John* ſaid he wiſhed to bring forward one part of the plan of regulation and reform, which had been opened to the Houſe a few weeks ſince by an honourable gentleman facing him, and which he begged leave to take that opportunity of ſaying, he admired as much as any one of the many who had ſpoken in its praiſe, though perhaps he ſaw it in a different point of view from other gentlemen, and thought it laudable

laudable, chiefly in regard, and in proportion to its financial tendency. The honourable gentleman had done a great deal already towards producing to the Houſe a practical mode of furthering the plan, and carrying it into execution. His intention in riſing, and his wiſh was, to aſſiſt in forwarding an eſſential part of that plan, in order to do which, it was neceſſary for him to aſk the honourable gentleman a queſtion. The part of the plan he had turned his attention to, was that to which he was moſt competent to ſpeak, from the place he held under the Crown; a place, that he would venture to ſay was by no means an inefficient one. He alluded to the intention of ſelling the royal foreſts, and thoſe domains which were properly called Crown Lands. This idea ſtruck him as well worthy the attention of Parliament. At preſent, with all his care, it was as much as he was able to effect, to prevent the Crown Lands, which ought to produce a revenue, from becoming burthenſome and expenſive to the ſtate. He thought they might be ſold in ſuch a manner and on ſuch terms as ſhould render a productive and efficient fund for them. He wiſhed therefore to know of the honourable gentleman when he meant to produce his bill for the ſale of the Crown Lands. Mr. St. John, before he ſat down, ſtated in what points, relative to Mr. Burke's plan, he differed in opinion from the noble Lord in the blue ribband, and ſuch other of his friends, as he generally voted with, and gave his reaſon for entertaining ſuch a difference of judgment.

Mr. *Burke* roſe to reply, and began with complimenting the honourable and learned gentleman, for having ſo properly attended to the duties of his place; a place which he was not only ready to agree was an efficient one, but the moſt efficient of any help under the Crown; for ſurely no place could be more uſeful, than that which prevented an efficient revenue from becoming an inefficient revenue, which attended a ſick and dying ſource of income, and by interpoſing, watching, and adminiſtering reviving and cordial medicines, when the agonies of death were on it, reſcued it from the grave, and gave it new life. After this exordium, Mr. Burke went into a kind of general review, not only on his plan, but of the progreſs he had made in reducing its ſeveral parts to a practical ſhape. Though he could not ſay he had matured the whole, and put it into form, when he opened his plan to the Houſe; he certainly had not attempted to come there upon the mere ſhadow of a ſpeculation, nor had he ventured to ſtate the outlines of his plan, before be had made a conſiderable progreſs in putting it into ſhape. The Bill for ſelling

the

the Principalities, the Crown Lands, &c. was then in his hands, and had been drawn by him ſome time ſince. As he wiſhed not however to bring any bill into the Houſe, till he had done his utmoſt to render it as unqueſtionable as poſſible, he had, perhaps with more candour than prudence, at leaſt with leſs caution than ſome men would have uſed, ſhewn it to a number of perſons, and fully opened his intentions reſpecting it. A large circle of Welſh gentlemen had ſeen it, and from ſome objections which had been ſtated, he had been obliged to ſit down again, and tear the principality of Wales out of the bill. Anxious to get the moſt authoritative opinion upon it, he had obtained it the inſpection of a great and deſervedly eminent lawyer, well known to the Speaker, both by name and character; and he was happy to have it in his power to ſay, that the great authority to which he alluded, had not only approved of the principle of the bill, but had wiſhed he had gone further. The bill was, as he had before ſaid, in his hand, and would in two minutes be ready to be delivered to the clerks of the Houſe to copy. It would therefore be brought in by him ſoon after the holidays.

As ſoon as Mr. Burke and Mr. St. John had ſettled their queſtion and anſwer, Sir *James Lowther* roſe and ſaid, he had been excited, from what had happened that morning, to call the attention of the Houſe to an affair which he thought merited their immediate conſideration. A duel, he underſtood, had that morning taken place, in conſequence of ſome words which had been ſpoken in both Houſes of Parliament; if this was to go on, and the Houſe did not interpoſe its authority, there would be an end of the freedom of debate, and an end of the buſineſs in Parliament. The cuſtom ſeemed as if it were growing upon gentlemen, and it behoved the Houſe to exert itſelf, and proceed in ſuch manner, that the two recent inſtances of the kind might be the laſt. When he ſaid this, he by no means wiſhed to put men of ſpirit into a diſhonourable ſituation. It had been his misfortune more than once to have been engaged in ſuch affairs, and whenever he was called upon, he truſted he ſhould ſhew himſelf ready, and do what was proper. But he was then ſpeaking as a Member of Parliament, and an advocate for the freedom of debate. If free debate were to be interpreted into perſonal attack, and queſtions of a public nature, which came before either Houſe, were to be decided by the ſword, Parliament would reſemble a Poliſh diet, and the Members would do better to give up all ideas of parliamentary

amentary diſcuſſion, to abandon the Senate, and reſort at once to the field, where they might have recourſe to arms, as the ſole arbiter of political difference of opinion.

Mr. *Adam* roſe, and immediately the attention of the Houſe was fixed upon him. He declared the honourable gentlemen had made it neceſſary for him to ſay a few words, becauſe moſt clearly the honourable gentleman had alluded to him in one part of his ſpeech. With regard to a certain buſineſs, in which he had the misfortune to be concerned, no man could regret it more than he did, nor could any one have more unwillingly entered upon it. He thanked the honourable gentleman for giving him an opportunity of publicly declaring that he had in that unhappy affair acted without communication with any one, but ſolely in compliance with the dictates of his own heart, and in compliance with the impulſe of certain principles of honour and feeling, implanted in his breaſt by nature, in conſonance to which he had ever acted, and hoped as long as he lived he ſhould continue to act, becauſe whenever he ſtruck out of that path to which thoſe principles directed, he ſhould hold himſelf unworthy of a moment's attention in that Houſe, or a moment's attention from any man of honour and integrity. Amidſt the unhappineſs and the unwelcome ſenſations occaſioned by the recalling to his mind that unfortunate affair, which he hoped would be the laſt of the kind he ſhould ever be involved in, he had one comfort and one ſatisfaction, and that was, that it enabled him in the face of the Houſe to do juſtice to the character of the honourable gentlemen concerned with him in the unfortunate affair alluded to, and to aſſert in the hearing of ſo reſpectable an aſſembly, that he had found in him that ſpirit, that manlineſs, and that honour, which it was before ſuppoſed the honourable gentleman poſſeſſed, and which equalled thoſe tranſcendent abilities that had created him the admiration of every member in that Houſe, and of none in a more eminent degree than of himſelf. He hoped what he now ſaid would not be thought flattery; he meant to flatter no man, and he was ſure if he had ſo far deſcended from his own principles to be mean enough to attempt to flatter the honourable gentleman in queſtion, the honourable gentleman's liberal ſpirit, and dignity of feeling, would have induced him to reject the flattery with the diſdain it would merit. His ſole intention was, to do the honourable gentleman juſtice.

He

He was conſcious of the great reſpect due to that Houſe, and he could read in the Speaker's countenance his ſenſe of the impropriety of reference to ſuch a matter within thoſe walls. He felt the reſpect which he owed to the Houſe, he truſted, as much any man, but he felt alſo the reſpect due to his own character, and he hoped the Houſe would have the goodneſs to overlook the irregularity he had been guilty of, when they conſidered the torrent of abuſe that had been poured down upon him in almoſt every newſpaper, and the baſe motives that had been imputed to his conduct; motives ſo mean, ſo infamous, and ſo much beneath the adoption of any man who had the ſmalleſt ſenſe of honour, that he truſted no perſon who had the leaſt knowledge of his conduct in life, could for a moment harbour a thought ſo intolerably injurious to him, as to imagine they actuated him in the affair to which he had felt himſelf under the neceſſity of alluding. He declared to God, he had no motive whatever but the conviction that he could not exiſt with honour, without taking the ſtep which he had taken. And ſo far from being guilty of the baſe ſervility of hoping to pleaſe a miniſter by what he had done, he diſclaimed any connexion whatever with the miniſter; he thanked God he could ſay he had never croſſed the threſhold of that miniſter's door, he had never aſked him a favour, nor had he any favour to aſk of him. He added, that though the grounds upon which the honourable gentleman, who had been concerned in the affair with a noble Earl that morning, had proceeded, were uncommunicated to him, ſo well was he acquainted with the principles of that honourable gentleman's heart, of his high ſenſe of honour, and of his ſtrict attention to every thing that became a gentleman, that he would undertake to ſay, he had proceeded upon ſuch grounds as would, whenever they were known, add to the reſpectability of his character, place him, if poſſible, ſtill higher than he was, in the opinion of all who knew him, and entitle him to the approbation of every man of honour and ſenſibility. He had been bred up with the honourable gentleman, he knew his principles, and he ſhould have thought himſelf unworthy of that friendſhip in which he lived with him, and which he regarded as a high honour, had he not ſaid thus much in his behalf.

Sir *Adam Ferguſon* ſpoke in the praiſe of Mr. Fullarton, in terms of the warmeſt panegyric, and ſaid, he was ſure that gentleman had acted upon the moſt pure and correct principles of honour in the unfortunate affair which had taken

place

place that morning, the particulars of which were unknown to him. He declared he had often felt the extremeſt pain at hearing in the courſe of debate that degree of perſonal ſeverity and invective which every gentleman, on reflection, muſt know to be improper, and muſt be conſcious he would not be ſuffered to make uſe of in any other place. Sir Adam ſubmitted it to the candour of the honourable gentleman who had firſt alluded to the tranſaction, whether it would be right or juſtifiable, in point of delicacy, to proceed to diſcuſs it, or make any motion upon it, in the abſence of the honourable gentleman who was principally concerned in it.

Sir *James Lowther* declared he had no intention to enter into a particular diſcuſſion of it, neither had he any intention to make any motion upon it in the abſence of the honourable gentleman. If he had miſtakenly proceeded to any ſuch matter, he was ſure the Speaker of the Houſe would not have ſuffered him, but would have ſtopped him the moment he attempted it. He had ſpoke generally upon the ſubject, which ſtruck him as directly militating againſt the freedom of debate; in this point of view he had taken it up as a member of parliament, and ſo far was he from deſigning to make any perſonal reflections, he had never been at the houſe of the noble Lord, and the honourable gentleman was unknown to him even in perſon, till he had riſen a day or two ſince, and complained to the Houſe of his having been injuriouſly reflected on elſewhere. Without meaning any thing perſonal, therefore, he muſt repeat, that the matter ought by ſome means or other to be brought before the Houſe, and if that was not fixed as the laſt day of their ſitting, before the receſs, and much important buſineſs was to be done, he ſhould move, that the Houſe proceed to the inveſtigation of it inſtantly, becauſe he conſidered the freedom of debate as an object of the firſt care and attention of Parliament. As the Houſe was ſituated, he would not move to have the matter then agitated, but he begged the Houſe to receive it as a notice from him, that he ſhould move, immediately after the holidays, that the honourable gentleman do attend in his place, and that the matter be then taken into conſideration.

A general murmur of No! No! ran through the Houſe; upon which Sir James declared he had no objection to alter the words of the motion he ſhould hereafter make, if they appeared to be improper.

Mr.

Mr. *Burke* next ſpoke, and began with complimenting Mr. Adam for the encomium he had paſſed on his honourable friend. He declared that the warmeſt panegyrick was but juſtice to his character, and complained of his honourable friend's having been called out, not to anſwer for what he had ſaid in Parliament, but for what a newſpaper had choſen to impute to him. "God forbid, (he exclaimed) that gentlemen ſhould be expected to anſwer for the groſs miſrepreſentations of their ſpeeches in that Houſe, which appear from time to time, in ſome of the daily papers!" Having ſaid this, he went into a diſcuſſion of the matter which had given offence to the honourable gentleman, who had that morning fought a duel with a noble friend of his, a member of the other Houſe of Parliament. He contended that the words ſpoken by his noble friend were in the ſtricteſt ſenſe parliamentary language, that it was impoſſible to talk of public meaſures, without alluding to the men connected with thoſe meaſures, and that there was an end to the freedom of debate, if gentlemen gave way to their private feelings, and took offence at what was not perſonally meant. The honourable gentleman who was abſent ſeemed to have confounded public debate with private converſation. In the latter, the object was the happineſs and ſatisfaction of all preſent; it was there the duty of every one to be upon his guard, and to take care that he let no expreſſion ſlip him which might give offence to another, or diſturb the harmony of the meeting; in public debate, the caſe was widely and eſſentially different. The very means and end of public debate, were free diſcuſſion, and an open unreſerved mode of agitating every ſubject, to which the queſtion under debate had reference. Without that free diſcuſſion, the queſtion could not be agitated at all. This doctrine, he proceeded to apply to the caſe in queſtion; the Earl of Shelburne had entered into a conſideration of the ſtate of the army, a material part of the public expence, and ſurely, a fit matter for Parliamentary diſcuſſion; in doing this, he had complained of one regiment being put under the command of a perſon, whom he deſcribed, perhaps not very correctly, as a clerk. Would any gentleman ſay that this was not parliamentary? What offence was there in it? He would take upon him to aſſert that there was none. It was not directed perſonally, and no gentleman ought to have mixed his private feelings ſo far with public debate as to have taken it to himſelf.

Sir *Harry Houghton* interrupted Mr. Burke, by begging him to remember that it had been in a manner agreed, that

the ſubject ſhould not be diſcuſſed in the abſence of the honourable gentleman concerned. He wiſhed therefore that it might drop for the preſent.

Mr. *Rigby* declared he ſubſcribed moſt fully to the doctrines laid down by the honourable member who ſpoke laſt but one, relative to the freedom of debate. Public meaſures and public men were fit ſubjects of diſcuſſion, and if any check was put to the unreſerved agitation of ſuch topics, Parliament would be of no uſe, and might as well be aboliſhed. Certainly every member of that Houſe, and every member of the other, had a right to ſpeak his mind in Parliament, in the freeſt manner upon all public matters, and in ſome offices and appointments the man was ſo blended with the office, and the two were ſo inſeparably connected, that it was impoſſible to make a diſtinction, and allude to the one without at the ſame time alluding to the other. Theſe were facts that every gentleman muſt agree in. How far it was warrantable in the diſcuſſion of public matters, and in the alluſion to public men, to throw out reflections of an invidious nature, and to treat them contemptuouſly, was another queſtion reſpecting which every gentleman muſt draw his own line, and act accordingly. An honourable member had ſaid he ſhould move an enquiry into an unfortunate affair, which he underſtood had taken place that morning; might he adviſe, no enquiry whatever ſhould be inſtituted reſpecting it. That, and every other matter like it, ſhould reſt undiſturbed, and be buried in oblivion. Both parties, he was happy to hear, were ſafe, and that no affair of the kind had terminated more to the honour of thoſe concerned in it. Why then interfere with it? Did the honourable gentleman think that any order or reſolution of that Houſe, did he imagine that any act of the legiſlature could prevent a gentleman's going out, as it was termed, with another, if he felt, or thought he felt his honour injured? Had gentlemen ſo ſoon forgot that there were acts of Parliament againſt duelling now in being? The very attempt to prevent one man's fighting with another, was abſurd, becauſe it was impoſſible, by any regulation of Parliament, to prevent it. What one gentleman felt as a reaſon for calling another out, might not operate equally in the breaſt of a ſecond perſon. Every gentleman had his own peculiar feelings, and every gentleman would preſerve his honour, in his own way. Duels of the kind that had happened that morning, and that had happened once before in the courſe of the preſent ſeſſion, had happened occaſionally, time out of mind, and indiſputably would happen again and again, as long as the world

world ſhould endure. They were therefore matters which every man muſt lament, but which no man, nor no ſet of men, were able to put a ſtop to. Out of this great evil, however, he did think ſome little good would enſue, and that was, it would teach gentlemen to confine themſelves within proper limits, and though it might not, and he hoped it would not, abridge the freedom of debate, he hoped it would make men ſpeak in Parliament with better manners.

This remark, he declared, he did not mean to apply perſonally to either of the parties concerned in the unfortunate affair, which he lamented had happened that morning, or to any other gentleman. They were all apt to be off their guard in the hurry and heat of debate. He had himſelf been as guilty of this error as any member either of that Houſe or of the other, and he had lately in a particular inſtance treated an honourable gentleman with leſs civility than he ought to have done. He was conſcious of this, and condemned himſelf for it. He repeated, therefore, that he hoped the unfortunate affair that had taken place that morning, and a ſimilar one which had preceded it, would ſerve as a warning to all of them, and teach them to diſtinguiſh between the freedom and the licentiouſneſs of debate.

He diſapproved of the idea of moving that the honourable gentleman concerned in the affair of that morning, "be ordered to attend in his place." Such a motion, he ſaid, was highly improper. It involved cenſure in it, for no member had ever been ſo ordered, unleſs the Houſe were previouſly in poſſeſſion of ſome matter of complaint againſt him, for which they called upon him to anſwer and clear himſelf. He concluded with earneſtly deſiring that the matter might be dropped.

Mr. *Burke* ſaid it was unfair to attack any gentleman in his abſence, but it was ſtill more unfair to accuſe a man of having done wrong, or of deſigning to do wrong, and then to condemn him to ſilence. An honourable member had accuſed him of intending to go into a perſonal diſcuſſion of the affair of that morning, and in the ſame moment had deſired that he would not ſay a word in his juſtification. He muſt, however, break through the rule, and declare that he had no deſign to go into a perſonal diſcuſſion of the affair of that morning, he only meant to have argued it on parliamentary grounds. With reſpect to what the right honourable gentleman who ſpoke laſt had ſaid relative to the impoſſibility of preventing duels by orders of that Houſe, he could not ſurely imagine

that either he or the honourable gentleman near him, were ſo abſurd as to attempt to make laws for the reſtraint of the human feelings and paſſions. No ſuch thing was in their view. He then proceeded to ſtate the real object of their deſign.

Sir *James Lowther*, in reply to what Mr. Rigby had ſaid, declared, that there ſhould be an enquiry, and the Houſe ſhould go into the matter, for he was determined to move it an early day after the holidays; and though he certainly would not move that the honourable member "be ordered to attend in his place," he hoped the honourable member's friends would inform him of his intention, when, as a man of honour, he did not doubt but he would be preſent. As a proof of the propriety of the Houſe's inveſtigating it, he inſtanced the late interpoſition of the Speaker, when a ſerious affair was near taking place between a learned gentleman, and an honourable friend of his, on that ſide the Houſe.

Mr. *Fox* declared, that what a right honourable gentleman on the floor [Mr. Rigby] had ſaid, made it neceſſary for him to ſay a few words. The right honourable gentleman was apt to ſpeak in a looſe and careleſs way, and therefore, perhaps, he had not any particular meaning in what he was going to mention; but as the words ſeemed to point to him, he muſt notice them. The right honourable gentleman had ſaid, "he hoped what had happened that morning, and what had happened before of a ſimilar ſort, would keep gentlemen within proper limits, and at leaſt teach them better manners." He begged to ſay for one, that what had happened to himſelf had not taught him better manners, nor ſhould it ever reſtrain him within any other limits, than thoſe which he had chalked out for himſelf. With regard to the noble Earl concerned in the affair of that morning, about which it certainly better became him to talk than about any thing which related to himſelf, he did not believe it would teach him better manners, and for this reaſon,—he was ſure his noble friend had not gone beyond proper limits, in what he had ſaid. So ſure, that when the new levies came under conſideration, he meant to object to that particular regiment, which his noble friend had objected to, on the very ſame ground, viz. becauſe the perſon appointed to the command of it, did not appear to him to be a fit perſon to hold that command.

Sir *George Yonge* ſaid a few words on the neceſſity of maintaining the freedom of debate. After which the Houſe proceeded to other buſineſs.

Sir

Sir *George Savile* brought up the petition from Newcaſtle upon Tyne, which was read, and ordered to lie on the table.

Mr. *Fox* moved that the Houſe be called over on the day that the petitions were to be taken under conſideration.—Ordered.

At length the order of the day was read, for bringing up the report from the committee of ways and means.

It was brought up, and Mr. D. Hartley, Sir George Savile, and Mr. Byng contended againſt its being taken into conſideration, on the principle that the petitions of the people of England ought to be firſt attended to, and their grievances redreſſed.

Lord *North* argued on the other ſide, that having voted a loan of twelve millions, the Houſe were bound to vote the taxes reſolved on in the committee, or taxes productive to the like amount. His Lordſhip ſaid, if the Houſe now agreed to the report, the taxes could not be impoſed till long after the petitions were taken into conſideration, as the bill could not poſſibly paſs till that time, and the Houſe might oppoſe them in every ſtage of the bill.

Mr. *D. Hartley* uſed very ſtrong language againſt the taxes, declaring, that agreeing to the report previous to remedying the grievances of the people, had a tendency towards exciting them to reſiſt taxation. He ſaid miniſters ſeemed determined to puſh every thing to an extremity, which would reduce the matter to this alternative,—if the Parliament got the better of the people, this would become an abſolute monarchy; if the people got the better of the Parliament, the King would be dethroned.

Sir Adam Ferguſon and Sir William Bagot ſupported Lord North.

Mr. *Byng* moved, "That the report be poſtponed 'till the 7th of April next." The Houſe divided upon it. Ayes, 37. Noes, 145. The report was then read a ſecond and third time, and leave given to bring in a bill.

The committee of ſupply then ſat, and came to two reſolutions relative to exchequer bills.

At ten o'clock, the Houſe adjourned to the 4th of April.

Martii 4 Die Aprilis, 1780.

Purſuant to an order made before the laſt Eaſter holidays, **Lord North** this day laid before the Houſe the following paper:

Bank of England, March 29, 1780.

The Liſt of Subſcribers to the Loan of Twelve Millions, made in this Seſſion of Parliament.

The Directors of the Bank	400,000	Stamp Brookſbank	5,000
Do. Eaſt India Company	300,000	Lady Frances Burgoyne	5,000
Do. South-Sea Company	200,000	Peirce Bryan	8,000
Do. Royal Exchange Aſſurance	100,000	Henry Boldero and Co.	100,000
Do. London Aſſurance	230,000	Peter Burrell	2,000
Adair and Jackſon	25,000	Daniel Braithwaite, Poſt-Office	3,000
John Adair	2,000	Batſon, Stephenſon, and Co.	40,000
Adair and Bullock	30,000	James Baillie	5,000
Welbore Ellis Agar	15,000	Charles Bembridge	8,000
Robert Allen	12,000	Mrs. Cath. Bathurſt	6,000
Peter and Iſaac Auber	8,000	Richard Banniſter	2,000
Sir Charles Aſgill and Co.	20,000	James Branſcombe	5,000
David André	10,000	Thomas Boylſton	25,000
William Allen	2,000	George Browne	3,000
Aubertine and Ripley	5,000	George Bryan	5,000
Agaſſie and Rougement	5,000	Mr. Baird and Mr. Skinner	110,000
Thomas Allen	6,000	John Barnes	5,000
Moſes Allnut	1,000	John Bridges	5,000
Thomas Atkinſon	20,000	John Blackburn	5,000
Francis Allen	50,000	Patrick Brydone	2,000
William Auſtin	20,000	Bright, Bailie, and Bright	8,000
Thomas Ayliffe	10,000	Thomas Burfoot	17,000
Edward Aylett	10,000	William Burrell	5,000
Thomas Ahmuty	7,000	Herman Berns	10,000
Rev. James Adams	1,000	John Baker, Spitalfields	5,000
Edward Atkins	15,000	William Baker, ditto	3,000
Roger Altham	2,000	Buxton and Edwards	5,000
Biddulph and Cocks	100,000	William Belford	2,000
Silvanus Bevan	80,000	Edmond Boehm	10,000
Jacob Boſanquet	20,000	Joſeph and John Backhouſe, Darlington	5,000
John Barker	20,000	Nathaniel Boutflower	2,000
Anthony Bacon	16,000	John Boldero and Co.	50,000
John Boddington	25,000	Baynes, Wood, Griffiths, and Co.	3,000
Alexander Baxter	12,000		
Thomas Broughton	3,000		
Charles Boone	20,000		

William

iam Barr	5,000	Mark Cramer	10,000
ıkſbank and Ruddle	5,000	John Craven	2,000
mas Boddington	30,000	John Dirk Van Clootwyk	5,000
lph Boon	7,000	Joſiah Corthine, Hull	5,000
ert Barnewall	7,000	William Chamberlayne	10,000
mas Bland	50,000	James Chapman	4,000
Brown	12,000	Chambers, Hercy, and Birch	10,000
ırd Backus	5,000	Sir Patrick Crawfurd and Co.	20,000
ard Bull	3,000	John Corrie	3,000
Banning	2,000	Cox, Mair, and Cox	20,000
rge Brownſworth	2,000	Peter Calmel	2,000
les Belliard	6,000	Emerſon Cornwall, Ipſwich	10,000
ond Blakeney	2,000	Rev. Thomas Clarke	1,000
and Francis Baring	100,000	John Cator	40,000
ert Barclay	75,000	John Cholwell	2,000
Andrew Biggs	20,000	Caſtells and Whateley	270,000
ard Biſhop	20,000	Thomas Croft	20,000
iam Barnard	15,000	Giles Collins	2,000
on Forbes and Co.	85,000	Thomas Carpenter	2,000
ry Burmeſter	18,000	Edward Coke	24,000
Ralph Baltier	9,000	Thomas Collinſon	60,000
ge Browne	8,000	Thomas Cheap	30,000
ard Baker	10,000	Thomas Compton	10,000
Bowen	2,000	Hew Craig	4,000
Bowſteed	5,000	John Courtoy	5,000
ımin Booth	10,000	John Collier	15,000
s, Roberts, Devaynes,		Richard Chapman	2,000
d Dawes	165,000	Abraham Cheetham	5,000
ard Croft	12,000	Coxe and Beardmores	2,000
ge Cherry	35,000	Peregrine Cuſt	100,000
Cottin	40,000	Thomas Coults	140,000
ard Clarke	3,000	John Coope	20,000
iam Cowley	5,000	George Crawford	10,000
ford Canning	80,000	Maurice Carr	10,000
rence Cox	20,000	Richard Carter	5,000
s Chapman	2,000	Hananel David De Aguilar	10,000
ard Cumberland	20,000	Rich. Dainty and Co.	3,000
hew Carrett	20,000	Francis Dancer, Treaſurer	5,000
nas Colborne	5,000	John Duval and Sons	50,000
iam Chapman	1,000	John Dorrien	100,000
ımin Collins, Saliſbury	8,000	John Durand	10,000
Courtnay, Lord ownſhend's Secretary	5,000	John Iſaac Du Moutier	3,000
Henry Cozenove	12,000		
iel Clarmont	5,000		

Joſeph

Joſeph Mendes Da Coſta	3,000
David Duveluz and Co.	5,000
James Dick - -	4,000
Iſaac De Maltos - -	2,000
Philip Deviſme and Smith	8,000
Henry Pelham Davies -	10,000
William Dickenſon (Buckler ſbury) - -	4,000
William Denniſon, Leeds	6,000
Charles Dalbiac - -	8,000
William Dickenſon -	10,000
George Dewar, Park-Place - - -	5,000
James Dalbaic - -	4,000
Lord Chief Juſtice De Grey - - -	10,000
William Devaynes -	47,000
John Drinkwater -	4,000
Robert Dent - -	400,000
Dimſdales and Barnard -	50,000
Richard and R. Dixon -	6,000
John Davies - -	3,000
Sir John Dick - -	10,000
John Dingwall - -	2,000
Darbey Langley and Co.	30,000
R. and H. Drummond and Co. - - -	295,000
Joſeph Deniſon and Co.	200,000
James Dunlop - -	20,000
John Dawes, ſen. -	27,000
John Devaynes - -	5,000
Thomas Ewer - -	20,000
Sir Henry Etherington, Hull - - -	10,000
Sir Arch. Edmonſton -	24,000
John Ewer, Cheapſide -	8,000
Samuel Enderby -	5,000
Thomas Elliotſon -	2,000
Thomas Eden and Co. -	10,000
Sir John Elliot - -	5,000
Thomas Everett -	20,000
Sir James Eſdaile -	10,000
Richard Edwards -	50,000
Edie and Laird - -	20,000
Thomas Stephen and Roſe Fuller - - -	10,000
Benjamin Fowler -	20,000
Elmes Foſter - -	2,000
Thomas Fenn - -	8,500
General Fraſer - -	40,000
William Fuller, Son, and Co. - - -	100,000
Peter Fector - -	5,000
John Minet Feſtor -	3,000
James Ferrer - -	4,000
Jacob and Samuel Fletcher	2,000
James Bogle French -	8,000
Richard Fuller, Banker	70,000
Benſon Fearon - -	3,000
Thomas Farrer - -	8,000
William Fullarton -	18,000
Hugh Fraſer - -	3,000
Charles Foreman -	20,000
Thomas Fletcher -	9,000
John Fryer - -	10,000
Sarah Fuller - -	2,000
Simon Fraſer - -	100,000
George Field - -	10,000
Thomas Fulling - -	3,000
Jonathan Field - -	9,000
Iſaac Goſſet - -	3,000
Richard Gurney, Norwich - - -	30,000
Andrew Girardot -	25,000
Samuel Gift - -	25,000
William Gibbard -	3,000
G. T. Goodenough -	4,000
Daniel Giles - -	60,000
Peter Guinard - -	2,000
William Golightly -	3,000
Francis and Robert Goſling - - -	30,000
Dean of Glouceſter -	2,000
Thomas Gery - -	3,000
David Girard - -	3,000
Peter Gauſſen - -	100,000
Edward Gillyatt - -	2,000
Edward Gray - -	16,000

John Goddard	7,000	Thomas Hill	4,000
Samuel Wilkinſon Gordon	40,000	John Harman	335,000
John Goodall	2,000	John Hilliman	10,000
Thomas Gibbons	3,000	Henry Holland, jun.	10,000
John Gray	5,000	Alexander Hope	5,000
John Grier	5,000	Charles Harris	2,000
William Gilbec	10,000	Robert Hunter	10,000
David Godfrey	9,000	Thomas Hoggarth	3,000
Joſeph Gompertz	40,000	Francis Hall	1,000
Thomas Gibſon	16,000	Alexander Hamilton	20,000
Ged. Gatfield	10,000	C. Jeacombs and Yeoward	8,000
William Harriſon	20,000	Henry Jones	12,000
Philip Hall	30,000	Charles Jackſon	6,000
William Hamilton	10,000	James Johnſon	3,000
John Heighington	2.000	James Johnſton, Figtree-court, Temple	2,000
John Henicker	60,000	Henry Jones, Howard and Jones	5,000
Doctor Howard, Bath	2,000	Jenkin Jones	3,000
A. F. Haldimand	50,000	Richard Jackſon	20,000
John Halliday and Co.	100,000	Cuthbert Johnſon	10,000
James Harris	2,000	William Jones	2,000
Robert Hunter	5,000	Sir William James, Bart.	150,000
John Hyndham	10,000	William Innes	30,000
Richard Heaviſide	4,000	Griffith Jones	10,000
Bartholomew Huber	2,000	George Jon	8,000
John Harriſon and Arſley	5,000	Godfrey Kettle	2,000
Sir Robert Herries	20,000	Aſhur Keyſer	2,000
Thomas Hill, Titchfield-ſtreet	8,000	Leonard Kilham	5,000
William Hamilton	1,000	Benjamin Kenton	10,000
John Hayward	4,000	William Knox	10,000
George Heming	4,000	R. G. Kerr	20,000
Henry Hall	2,000	Charles Keightley	10,000
Joſeph Holden	2,000	James Kerr	35,000
Sam. Harman, Jermyn-ſtreet	3,000	Robert Knox	30,000
Edmund Hill, Ifleworth	4,000	Liotard Kazenove and Co.	25,000
Stephen Horncaſtle	1,000	J. D. Lucadou	15,000
John Hainſworth	2,000	Elias Lindo	10,000
Benjamin Hallowell	2,000	John Larpent	8,000
Sir Tho. Halifax and Co.	100,000	Ladbrooke, Rawlinſon, and Co.	60,000
Richard Holbert	5,000	Emanuel Baruk Louſada	3,000
John Hodges	2,000	Maurice Lloyd	30,000
Samuel Hoare, jun.	89,000	John Lamb	5,000
Thomas Ford Hill	14,000		
Joſeph Hague	15,000		

Langſton

Langſton, Polhill, and Co.	50,000
John Martin Leake -	12,000
Edward Lucas -	3,000
John Robert Le Cointe	10,000
Sir Wm. Lemon, and Co.	26,000
John Liveſey, Mancheſter	5,000
John Lochley -	2,000
Timothy Leach - -	2,000
John Larpent, jun. -	2,000
Leaver Legg -	5,000
William Lander - -	3,000
William Luccraft -	2,000
Joſeph Lancaſter -	5,000
Chriſtopher Langlois -	10,000
Nicholas Langley	20,000
Montague Lind -	30,000
Robert Cooper Lee	25,000
George Lempriere -	5,000
William Lane -	1,000
Robert Lloyd -	2,000
Edward Lowndes -	3,000
Lilly and Roberts -	30,000
Leonard Morſe -	10,000
›bert Mayne -	100,000
William Mathews -	8,000
Andrew Moffatt -	10,000
Thomas Mainwaring	5,000
J. Masfen -	2,000
John Mayor - -	12,000
Mildred Maſterman and Walker -	60,000
Bellingham Mauleverer	1,000
Marſh and Creed -	3,000
Samuel Marſh -	20,000
Iſrael Mauduit -	10,000
Edward Moore -	5,000
Paul Maylor -	5,000
Colin Mackenzie, Throg-morton-ſtreet -	8,000
Francis Mint, jun.	2,000
William Minſhull -	8,000
Francis Martin -	3,000
James Madan -	5,000
Richard Moleſworth	5,000
John Maddiſon -	50,000
Doctor John Moore	5,000
William Melliſh -	10,000
Nathaniel Modigliani	70,000
John Markett -	50,000
Lachlin Mackintoſh	30,000
Thomas Millington	2,000
Charles M'Intoſh -	16,000
John Nutt -	15,000
John Neſbit -	350,000
Neave and Aiſlabie	5,000
Henry Nicholls -	10,000
Abraham Newland	10,000
Thomas Newnham -	25,000
Thomas Neale -	5,000
Peter Nicoll - -	1,000
Henry Newcome -	8,000
Thomas Neale -	50,000
Alexander Ougſton -	3,000
John Olive -	5,000
Thomas Ormes -	3,000
Samuel Potts -	6,000
Thomas Powell, St. Helen's	5,000
Preſcotts, Grote and Co.	50,000
David Powell -	3,000
David Powell, jun.	3,000
Percival Pott -	8,000
Frederick Amelia Palman	3,000
Chriſt. Pritchard -	2,000
John Pardoe -	5,000
John Pardoe, jun. -	5,000
Henry Pearſon and Co.	10,000
John Powell -	20,000
Thomas Preſton, Stratford	5,000
Edmund Pepys -	4,000
Thomas Philips -	4,000
Alderman Plumbe -	10,000
John Peché -	2,000
Pugets and Bainbridge	25,000
William Power -	5,000
Anth. Parkin -	2,000
George Paterſon -	10,000
S. Pope, Fleet-ſtreet	1,000
Henry Porter -	2,000

Thomas

nas Pruen Glouceſter	2,000	Shairps and Maude -	18,000
ard Payne -	60,000	Thomas Shuttleworth	20,000
nas Pratt -	9,000	George Slack - -	5,000
nas Potts -	5,000	Iſaac Joſeph Saportas -	5,000
rt Prior -	26,000	Arthur Shakeſpear -	8,000
er and Hodgſon -	10,000	Reuben Salomons -	2,000
Perins - -	30,000	Rt. Stevenſon, Leadenh. ſtr.	15,000
George Preſton -	1,000	Wm. Smith, War-Office	10,000
s. Walley Partington	20,000	Gabriel Steward -	20,000
amin Porter -	15,000	William Sanders -	5,000
Lucas Pepys -	5,000	William Strahan -	10,000
Philips - -	3,000	Joſhua Smith -	20,000
nas Pemberton -	5,000	Thomas Stevenſon -	2,000
nas Parſons -	5,000	Samuel Smith and Son	37,000
t. Pottinger -	20,000	William Steer -	10,000
epoint & Waddington	5,000	Richard Seaman -	2,000
iam Robertſon -	8,000	William Smith -	2,000
r Crawley & Aguiton	50,000	John Sayer - -	1,000
iam Raikes -	15,000	Robert Simmonds -	8,000
ge Roſe - -	5,000	Robert Smith -	1,000
nas Rumſey -	3,000	Francis Stevens -	2,000
an Rice - -	5,000	John Chriſtian Splitgerber	50,000
Rabond and Lew. Crinſon	5,000	Colonel Edward Smith	10,000
ington and Langton	8,000	Salomon Salomons -	5,000
and Peter Richardſon	10,000	Edward Stanley -	8,000
Ebenezer Radcliffe	5,000	Peter Anthony Sapte -	5,000
rt Randall -	5,000	Iſaac Jacob Salomons -	2,000
ert Roſs - -	8,000	Lieutenant Colonel Saxton	3,000
Rogers -	4,000	Mark Smithſon -	2,000
iam Rawlins -	2,000	John Stephenſon -	20,000
rt Rolleſton -	20,000	Thomas Shewell -	10,000
ander Raby -	2,000	Benjamin Smith -	10,000
Read - -	2,000	John Staples - -	3,000
h Richards -	2,000	John Rudolph Staul -	3,000
Roſier - -	2,000	Joſeph Salvador -	5,000
Roſe - -	10,000	Francis Sykes -	10,000
has. Raymond & Co.	20,000	George Stackpole -	5,000
ard, Rowe, and Co.	12,000	Sir George Symons -	20,000
amin Rodgers -	10,000	John Stokes - -	10,000
iam Roſs - -	3,000	Sadler Guillaume, &c. -	11,000
Thomas Reeve -	10,000	William Speer -	6,000
Rooke - -	4,000	Jere Sneyd - -	5,000
Roberts -	18,000	James Spyers -	2,000
ard Robinſon -	2,000	John Snaith - -	12,000

Weſt-

Weſtgarth Snaith	8,000	Anthony Villion	8,000
Robert Stephenſon	2,000	Charles Van Notten	15,000
Abel Smith	50,000	Gyſbert Van Voorſt	8,000
John Stonehouſe	10,000	Wolft. Van Hemert	5,000
Stapel, Coxe and Meilan	92,000	John Vaughan	1,000
Peter Stapel	10,000	Abraham Vickery	5,000
Thomas Smith	33,000	Charles Vann	1,000
Henry Spencer	30,000	Iſaac Warner	2,000
John Smith	5,000	Henry White	10,000
Edward Seward	6,000	Chriſtopher Willoughby	2,000
Thomas Sedgwick	7,000	Charles Wray	5,000
Thomas Stead	2,000	Edward Wilford	5,000
John Skinner Stock	2,000	Thomas Wright, Sher. of London	10,000
Sales, Pollard and Yates	5,000	Jonathan Wathan	3,000
Thomas Stanton	5,000	Charles Williams	3,000
John Sutton	5,000	Martin Whiſh	2,000
Samuel Smith	2,000	William Webſter	2,000
John Scott	5,000	Nathaniel Webb	20,000
Smith, Payne and Smith	90,000	Richard Wood, Glouceſter	2,000
Steele, Gray and Son	30,000	Thomas Wilkieſon	150,000
Merrot Stephens	2,000	William Williams	5,000
Peter Thelluſſon and Co.	350,000	James and David Webſter	10,000
Lewis Teſſier	50,000	Samuel Worrall	1,000
William Thompſon	6,000	Peter Waldo	10,000
William Tatnall, jun.	2,000	Robert Willing	5,000
Richard Till	5,000	George Wade	2,000
James Tierney	8,000	Daniel Webb	5,000
Anthony Todd	25,000	Chriſtian Woeſthoven	3,000
Harry Thompſon	25,000	Anthony Wright and Son	20,000
Andrew Thompſon	15,000	Charles Wilſonn	5,000
Elias Tuckett	4,000	William Watſon	1,000
Francis Tomkyns	4,000	John Wellford	2,000
Thomas Thompſon	3,000	John Wetherell, Darlington	10,000
Thomas Torr	2,000	John Wells	2,000
John Vickaes Taylor	8,000	Chas. Weſton, Norwich	5,000
James Taylor	5,000	Dr. Richard Warren	10,000
William Turner	2,000	Francis Wood	20,000
Peregrin Treves	5,000	John Whitehead	24,000
Richard Twining	9,000	Benjamin Winthorp	10,000
Iſaac Thompſon	4,000	John Wright	65,000
Charles Teſſier	3,000	Iſaac Walker	20,000
Thomas Trundle	2,000	Thomas Wall	10,000
Vandermulen and Jowett	10,000	William Wilſon	10,000
Robert Udny	15,000	Robert Wilſonn	10,000
Peter Van Notten	35,000		

Joſeph

Joſeph Ward -	5,000	Timothy Yeates	15,000
Thomas Wood	5,000	Jacob Yeates -	2,000
John Willan -	6,000	Thomas Young	21,000
George Wheatley	10,000		
Francis Williams	10,000		£.12,000,000
William Wheatley	50,000		
Daniel Whalley -	2,000		

A. NEWLAND, Chief Caſhier.

June 4.

No Debate.

June 5.

Sir *James Louther* informed the Houſe that he had the Cumberland Petition under his arm, but, previous to his preſenting it, he begged leave to ſay a few words with regard to the Petition itſelf, and the County from whence it came. He then deſcribed Cumberland as one of the moſt northern and moſt reſpectable counties in the kingdom, and aſſerted that it paid a very conſiderable proportion of the public burthens, and was for many reaſons entitled to the attention of that Houſe. The Petition, he ſaid, was ſigned by a very large number of the firſt characters in the county he had the honour to repreſent; that at the time of preparing it, he was at a conſiderable diſtance from the county, and conſequently that he neither led the petitioners, nor ſuggeſted the mode of their application; the petition in his hand was the voluntary act of the ſubſcribers, and when they had deſired him to preſent it to the Houſe, he told them, that he held it his duty as often as he was requeſted, to ſtate the ſentiment of his conſtituents to Parliament, even when he himſelf entertained a different opinion of the ſubject matter of their application, but that he always ſhould in that Houſe act for himſelf, and give his own opinion, after delivering that of thoſe whoſe repreſentative he was, begging the Houſe, however, at all times to pay a greater regard to the opinion of his conſtituents than to his own ſentiments. With regard to the petition, his opinion exactly coincided with that of his conſtituents; the grievances they complained of ſtruck him in the ſame point of view, in which they had impreſſed their minds, they called loudly for redreſs, and at the ſame time that he produced the petition, he thought it right to ſay he had conſidered of the poſſibility of a remedy, and was thoroughly perſuaded Parliament both could and ought to apply it. If the Houſe ſhould turn a deaf ear to the voice of ſo reſpectable a body as the ſubſcribers to the petition he was about to preſent,

they

they would right themſelves, and would refuſe to pay the taxes. He was aware, that miniſtry might attempt to dragoon them into the payment of them, and endeavour to coerce the county to pay their quota of the public expences. Such a meaſure ſtruck him as like to produce ſuch horrid conſequences that he did not imagine miniſters would think of putting it in practice. Perhaps a legal courſe might be adopted for the enforcement of the tax act. In that caſe, let miniſters conſider who would be the juries; where the trials would be held, and whether they were likely to obtain a ſingle verdict? Upon the whole the wiſeſt way would be the ſhorteſt, viz. to liſten to the petitions, and remedy the grievances of which they complained.

Mr. *Fletcher* ſupported his colleague, and in a ſhort ſpeech pointed out the reſpectability of his conſtituents.

Lord *Nugent* complimented the ſubſcribers to the petition for Cumberland, as perſons who were certainly of a deſcription ſo reſpectable, that they well deſerved the notice and attention of that Houſe. He wiſhed, however, that gentlemen would not adopt within thoſe walls, language which not only tended to direct the conduct of perſons without doors to violence and oppoſition to law, and which could do no good, but might be productive of infinite miſchief, but which alſo wore the complexion of a menace to Parliament, and in effect went to awe that Houſe, and deter it from the full and free operation of its own wiſdom and judgment. When he ſaid this, he declared, he meant not to inſinuate in the moſt diſtant manner that the honourable baronet had any ſuch intention. He was ſure he had not. He was convinced, he was the laſt man living who would think of holding out a threat to that Houſe. He had ſat there too long not to be equally aware of the indecency and impropriety of ſuch a line of conduct.

The petition was ordered to be brought up, was read, and, upon motion, referred to the committee appointed to take the petitions, already preſented, into conſideration.

Sir *Watkyn Williams Wynne* alſo preſented a petition from the county of Denbigh, and Lord *Verney* a petition from the county of Bucks. Lord Verney ſpoke to the Buckingham petition before he preſented it, and was ſupported by his colleague, the honourable Mr. Thomas Grenville.

Lord *North* moved that the order of the day be read for the ſecond reading of the bill for the commiſſion of accounts.

The order being read, the bill was read for the ſecond time; after which Sir *Philip Jennings Clerke* roſe, and gave notice of his intention, when the bill was referred to a committee to move a clauſe, enacting, "That a committee of members of Parliament be appointed to ſuperintend the proceedings of the commiſſioners appointed under the act." Sir Philip ſaid, this was by no means a new idea, he believed there were precedents for ſuch a committee, and he hoped the noble Lord would move to have the bill committed for ſuch a day, as ſhould allow the Houſe time to prepare to diſcuſs it with that degree of knowledge of its parts, which a bill of ſo much importance really deſerved, and which the noble Lord certainly would not refuſe, if he ſeriouſly meant the bill to be of public ſervice.

Sir *George Yonge* ſtarted a few objections, which he ſaid he ſhould enlarge upon in the committee.

Lord *North* declared, he had no wiſh to hurry the bill in an improper manner through the Houſe; that he certainly meant to give full time to gentlemen to conſider of the bill, and ſhould therefore, after the queſtion was put for its being committed, move, that it ſtand committed for next Wedneſday.

The bill was committed.

The *Secretary at War* then moved the order of the day for the army eſtimates, which being read, he moved that the papers on the table, entitled the army eſtimates, be referred to a committee.

Sir *Philip Jennings Clerke* oppoſed this motion. He directed his objections principally to the new levies, and in particular to the regiment over which Mr. North was appointed to command, declaring that in his opinion, the appointment vacated the honourable gentleman's ſeat in that Houſe. That it was evident the whole buſineſs was a job of the miniſter, that it was an inſult to the army, and might lead the way to moſt miſchievous conſequences. He declared he had no objection to the noble Lord's ſon, nor any ſuſpicion that the regiment would be improperly employed under the honourable gentleman's direction. The honourable gentleman was every way a reſpectable character; but if men not bred to the army, and who were not poſſeſſed of one military idea, were of a ſudden to be preferred to the

command

command of regiments, there was an end of military ſyſtem, and thoſe who deſerved beſt of their country from long ſervice, would loudly complain of the groſs injuſtice and partiality of ſuch conduct. Every good officer muſt be expected to retire in diſguſt, and thus the country would be deprived of all the advantage their army could receive from being commanded by officers of knowledge in their profeſſion and experience in the art of war. Sir Philip enlarged upon the dignity and advantage of being a colonel; ſhewed that intereſted men might put a large ſum of money into their pockets from holding ſuch rank, by ſelling the commiſſions of the officers under them, and called upon the Houſe to ſupport him in interfering in the very beginning of the miſchief, and put a ſtop to a buſineſs founded upon a mere jobbing idea, and which could do no good, but might do a great deal of harm. In order to effect this purpoſe he formally objected to the papers in queſtion being referred to a committee.

Hon. Mr. *North*, [Lord North's ſon] roſe for the firſt time ſince he ſat in Parliament, and ſaid he would not have troubled the Houſe, but as the honourable member had pointed a great part of his ſpeech perſonally at him, it might be thought neceſſary for him, out of reſpect to the Houſe, to ſay a few words; ſtill however he ſhould have remained ſilent, had not the whole of the honourable gentleman's argument been founded upon a complete miſtake, as far as it regarded the regiment at the head of which he had the honour to be. The honourable gentleman had ſaid a great deal about rank and emolument; in anſwer to which he could only declare, that he was neither to have permanent rank nor any pay; and that his appointment could be attended with no advantage to him whatever, further than the honour which he derived from the circumſtance of contributing by his perſonal ſervice to the defence of his country in a moment of public danger and alarm. With regard to the doubt which the honourable gentleman entertained reſpecting the vacating of his ſeat in conſequence of his being appointed colonel of the regiment in queſtion, the hon. gentleman perhaps was not aware that his regiment was one of the ſenſible regiments, upon the ſame footing with the militia, and that the officers of the ſencible regiments were by two clauſes moved by the right honourable gentleman, oppoſite to him [Mr. T. Townſhend] exempted from vacating their ſeats by the act of Parliament.

Lord

Lord *North*, in confirmation of Mr. North's aſſertion, moved that the clauſes referred to by his honourable relation be read; after which his Lordſhip gave the Houſe a detail of the regiment (as lieutenant colonel of which his ſon would have a commiſſion when the corps was completed) being raiſed, and the mode of raiſing it. He ſtated that by the new militia law, the cinque ports were exempted from the proviſions of that act. That as matters ſtood previous to the beginning to raiſe the regiment his ſon commanded, the cinque ports, which were more liable to attack than any part of the kingdom, were left defenceleſs, and that they contributed in no ſhare to bear the burthen of the public defence. That they could not arm but under the old militia law, which had been exploded in that Houſe, and which would have been exceedingly difficult to the cinque ports, and when carried into practice of little or no uſe. That thinking they ought to contribute their ſhare towards the public defence, he had conferred with the inhabitants of the cinque ports, and had offered to contribute a conſiderable ſum towards raiſing a regiment of fencibles. That upon their agreement, they had made a tender of ſuch a regiment; that the offer had been graciouſly accepted by his Majeſty. The regiment was now nearly completed, and though it had coſt the cinque ports ſome expence, and had coſt him a great deal; it had not been any expence to the public. That ſuch a regiment was of very eſſential ſervice in defence of the country, and could produce him no ſort of advantage, nor any return for the large ſum it had coſt him. In no ſenſe therefore did it merit the name of a job. With regard to his ſon's having the command of it, that matter had taken place in conſequence of the gentlemen of the cinque ports having applied to him, and deſired that one of his family might be at the head of it. His ſon was not to receive any pay, neither was he to gain rank by it. He was merely doing his duty to his country in ſuch a manner, as he had thought it became him to act, and which ſurely could not be imputed to him or his ſon as a matter of blame, by any man of candour, or any man who ſaw the thing in its true light. The regiment was, as he had ſaid, a fencible regiment, and there were ſeveral young gentlemen, not older than his ſon, at the head of regiments of the militia; he could not therefore think that the honourable gentleman would, after what he had ſaid, object to the papers being referred to a committee, on the ſingle

ground of his ſon's being appointed to the command of the regiment now raiſing for the defence of the cinque ports, ſince it was one of the cheapeſt to the public ever raiſed, and had not even coſt them the levy money of a guinea a man, paid to the militia.

Sir *Philip Jennings Clerke* acknowledged he was not aware that his Lordſhip's regiment was a fencible regiment, having ever conſidered the term *fencible* as applying ſolely to the regiments raiſed in Scotland. He ſaid he was well aware in what manner the noble Lord's other regiments were raiſed, but he had not before known the particular conditions on which his regiment of red coats had been raiſed.

The right honourable *T. Townſhend* agreed with the noble Lord in the blue ribband, that moſt certainly the ſeat of the honourable gentleman, the noble Lord's near relation, was not vacated, as his appointment came directly within the meaning of the two clauſes, which he had the honour to move in the act of Parliament, and which had been juſt read by the clerk at the table. His honourable friend near him, notwithſtanding the ground of objection which he had ſtarted to the papers being referred to a committee, had been done away, deſerved the thanks of that Houſe, and of the public, for having called the attention of gentlemen to the new levies, which certainly were of a very ſerious nature, and claimed the notice of Parliament in an eminent degree. Before, however, he proceeded further, he begged the Houſe in general to know, that though he meant freely to canvaſs the ſubject then under conſideration, he had no intention to give perſonal offence to any man, or any deſcription of men; he meant to do his duty as a member of Parliament; and in doing that, he ſhould not pay any regard to the doctrine of its being neceſſary to keep within bounds. Every thing which exceeded the proper freedom of debate, he certainly ſhould avoid, but that freedom he ever would maintain. Having ſaid this, he began to canvaſs the propriety of an honourable gentleman, who had never been in the army, and who knew nothing of military life [Mr. Fullarton] being appointed to the command of a regiment. He ſaid it was a cruel injury to the army, and a moſt unjuſtifiable matter in itſelf. As well might the honourable gentleman be appointed to the vacant deanery of Saliſbury, or the vacant ſeat on the bench of the court of common pleas. He complained of the general partiality in accepting the offers to raiſe regiments, in almoſt every one of

which, the army had been groſsly ill uſed, by having either very young and inferior officers raiſed to high commands, or thoſe appointed to them, who had never ſerved before, and were total ſtrangers to the army. He inſtanced the caſes of Colonel M'Cormick, Colonel Keating, Colonel Stanton, and others, whom he had on prior occaſions mentioned in debate, and then compared the favour ſhewn to them, with the conduct that had been held to the Earl of Derby, Major Stanhope, and the Earl of Harrington; the latter of whom was ſent to the Weſt-Indies, and ſubjected to the command of a ſuperior officer, who but the other day was only a lieutenant on half pay. He inſtanced the hard fate of Colonel Meadows and Colonel Muſgrave, the latter of whom he deſcribed as coming home, and aſked if he was to have no reward for his long and gallant ſervices but his many wounds and a ruined conſtitution? He placed Colonel Fullarton's appointment in every poſſible diſadvantageous light, but confined himſelf entirely to the parliamentary rules of debate, and repeatedly avowed his having no intention to give perſonal offence, and his thorough conviction of the honourable gentleman's reſpectable character. He loudly reprobated what he deemed an unfair partiality to the Scotch, declaring, at the ſame time, that he abhorred national reflections as much as any man; that he was ready to own a Scotchman would make as good an officer as an Engliſhman. All he meant to object to, was, the excluſive appointment of the Scotch to the command of the new regiments. If a Scotchman was once appointed to the command of a regiment, from that hour, he aſſerted, Engliſhmen were excluded from the regiment, for no Engliſh officer could hold a commiſſion in it. This he termed a hardſhip and a partiality, which however invidious his mention of it might appear, he felt it his duty, as a member of Parliament, to ſtate to the Houſe. He aſked if the Engliſh officers were to attempt to get commiſſions in the regiments raiſed in Scotland, would they be permitted? Why then were Scotch colonels to have their head quarters at Derby? Was the ſervice of the honourable gentleman's regiment ſuch as no Engliſh officer would undertake?—He was ſure there were many who would moſt readily undertake it, and who would have gladly accepted of the ſame commiſſion on the ſame terms. For theſe and other reaſons he objected to the papers being referred to the committee.

Mr. *Eden* next ſaid, that a particular friendſhip for Colonel Muſgrave, induced him to ſet the Houſe right as to a fact, which he thought material, only becauſe a few points of military conduct are matters of indifference to military men. It had been ſtated by the right honourable gentleman, that the officer alluded to, was coming home with wounds, and without promotion, and this in a manner which implied, that he was coming home in diſguſt. Mr. Eden added, that however great Lieut. Col. Muſgrave's pretenſions might be, he would ever be moſt unlikely to quit actual ſervice from any conſideration, but the poſſible one of ill health: he had reaſon to hope however, that Lieut. Col. Muſgrave was not coming home, but was very lately appointed quarter-maſter-general by the excellent officer now commanding in the leeward iſlands. As to Colonel Muſgrave's merits, he would not attempt to do juſtice to them; indeed it was not within the compaſs of any eloquence in the Houſe to give any encomium to that officer which was not amply deſerved.

Mr. *Townſhend* anſwered Mr. Eden by ſaying, the honourable gentleman had miſconceived him; and in order to prove this, he re-worded what he had ſaid reſpecting Colonel Muſgrave.

Mr. *Fuller* roſe in behalf of his relation Colonel M'Cormick, and proved, that he had been long in the army, and had many years ago roſe to the rank of Captain, but had ſince ſold out.

The *Secretary at War*, in reply to Mr. Townſhend, ſhewed that various noblemen and others who had never been in the army, had been ſuffered to raiſe regiments, and command them laſt war. [Being called on by Colonel Barré to name them.] He mentioned Lieutenant-General Frazer, General Morris, and ſeveral others. With regard to the partiality to the Scotch, which had been complained of, he produced a long liſt, whence it appeared that the complaint was ill-founded. In anſwer to the attack upon Colonel Fullarton's appointment, he ſpoke of the houourable gentleman's offer to government in very high terms, and ſaid, that when gentlemen of active minds and enterpriſing ſpirits, made a tender of their abilities, and pointed out particular ſervices of the firſt importance, it ſurely would be indefenſible in government to have turned a deaf ear to their offers, eſpecially when the conditions, on which they tendered their regiments, were much cheaper to the public than thoſe of other perſons. That the

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ſervice for which the honourable gentleman's regiment was deſtined, would, when a proper time for its being known came, he doubted not, ſufficiently apologize for the appointment, which had now been ſo much complained of.

General *Burgoyne*, in anſwer to the Secretary at War, ſaid, that the appointment of Lieutenant-General Frazer, to a high command laſt war, had been a political, not a military meaſure. That the idea was a very wiſe one, as it was with a view to endeavour to reconcile ſome of the northernmoſt clans, which had entertained old prejudices againſt the government; that it anſwered its end, and as well as ſerving to raiſe ſome brave regiments of hardy ſoldiers, it effectually rooted out the ancient animoſities of thoſe parts of the Scotch nation, which had been moſt inveterate againſt this country. The General ſpoke a good deal at large upon the topics touched upon by Mr. Townſhend, and contended that an army without diſcipline, was of no ſervice whatever, and that a regiment of raw recruits, headed by an inexperienced leader in martial matters, was not likely to carry any enterpriſe through with ſucceſs.

The *Secretary at War* roſe again, and re-explained thoſe points upon which General Burgoyne in the courſe of his ſpeech expreſſed doubts.

Mr. *Byng* was againſt referring the papers, and complained of the groſs injuſtice, of appointing perſons who had never been in the army to the command of a regiment, while ſo many brave officers, who had ſerved for many years, were unemployed. He reprobated the plea for the appointment of the honourable gentleman, that he was of an enterpriſing and active ſpirit, aſſerting that ſuch a declaration was an illiberal attack upon the army, as it was neither more nor leſs than ſaying, that there were not among thoſe already in the army, men equally enterpriſing, and ready to undertake whatever ſervice the honourable gentleman's regiment might be ſent upon. Mr. Byng ſtated the cuſtom of the army when he belonged to it, and ſaid, that had he continued in it, he ſhould now have been twenty-ſeven years in it, without attaining the command of a regiment, whereas the honourable gentleman was, if the preſent eſtimates paſſed, to be promoted to the rank of Lieutenant-Colonel at a ſingle ſtep. He complained of the great partiality ſhewn to the Scotch, and ſaid he did not envy that nation, he only wiſhed his own countrymen might be put on an equality with them, and ſhare with them the favours of government.

Mr *Fox* threw out a variety of pointed ſarcaſms on clerks and commis being ſuddenly converted into officers of high

rank, and ridiculed the idea of the appointment of the honourable gentleman being excuſed, on the plea of its being merely during the war, and that when peace came, he and other gentlemen preferred to the rank of Colonels at once, would become private men again. He aſked whether the time of war was not the time when officers of experience were moſt wanted by their country, and rank in the army moſt eſtimable? What did it ſignify, in time of peace, who was a Colonel, or who was not? Rank then, was only the inſtrument which procured officers, whoſe ſervices merited reward, a comfortable and honourable proviſion. The army was at all times an object, of which, it well became that Houſe, to be extremely jealous; but moſt particularly ſo, when new regiments were raiſing in ſuch abundance, and the commands ſo extraordinarily beſtowed, that it warranted a ſuſpicion that ſooner or later the army was intended to be employed againſt the liberties of the people. There had ſcarcely been an offer accepted, or an offer rejected, within the laſt eighteen months, which did not prove either a ſcandalous partiality, or a moſt unwarrantable refuſal. Let gentlemen conſider the handſome offer of the Earl of Derby, to raiſe a regiment, and the manner in which it had been refuſed. Let them recollect that the only objection inſinuated, was the Earl's having deſired permanent rank, but that he had afterwards waved that claim. As an evaſion it had been ſaid, there was no letter from the Earl of Derby, ſpecifying that he had ſo waved it; and though it was allowed that he had made the declaration publicly in the Houſe of Lords, it was pretended that no notice could be taken by office of what was there ſaid. This, however, would ſtrike every man of candour as a puriful quibble, and would make the conduct of miniſtry appear rather worſe than better. Let the Houſe remember the anſwer given to Major Stanly, who died as much in the ſervice of his country as if he had loſt his life in action at the head of his regiment! Let them remember likewiſe the refuſal to Lord Chatham, and the refuſal given to Mr. Grenville, brother to Lord Temple, and to Mr. Wyndham, brother to Lord Egremont, both enſigns in the guards! What had been the plea in their caſes?—That they were in the army, and could move but one ſtep at a time; ſo that the abſurd ſyſtem now purſued in the military line, was, that thoſe who, from having been bred up in the army, and having ſerved, were beſt qualifieed for high commands, had no chance of obtaining them, while unprofeſſional men, men employed as under ſecretaries of ſtate, and in civil capacities all their life time, might have them for aſking for.

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He declared he objected to various parts of the papers then under conſideration. If the men who had been raiſed on one condition to ſerve in the troop of horſe [Colonel Holroyd's] and who were afterwards put upon a different footing, and re-atteſted, as he underſtood, for that purpoſe, had not had a free alternative of either being re-atteſted or diſcharged, as they thought proper, they had not been fairly treated.

Mr. *Fox* entered into an argument on the reſpectability and antiquity of the family of the Earl of Derby, and others, whoſe offers to raiſe regiments had been refuſed, deducing from the premiſes, that ſuch men were beſt attached to the conſtitution, and moſt likely to preſerve the liberties of the people; inferring, that he was warranted to ſuſpect from their offers having been rejected, that the new regiments were deſigned to do ſomething adverſe to thoſe liberties. He took occaſion in this part of his ſpeech, to advert to the antiquity of the Scotch families, and ridiculed them. He ſaid further, that he had no objection to the Scotch; that among his friendſhips, many of them were with gentlemen of that country whom he eſteemed and loved; but ſtill he could not help now and then reflecting on what had paſt in former times. Forget and forgive, was an eaſy maxim to ſpeak, but a hard matter to practiſe. When he conſidered what had happened twice within a century; that the moſt dangerous attacks on the conſtitution had come from the northern part of the kingdom, he could not but be alarmed, when he ſaw the partiality daily ſhewn to Scotchmen. He could not but recollect, that at one time, in order to obtain power, the Scotch had agreed to give up what they held moſt dear, their religion, and to ſwallow popery, ſuch was their eagerneſs to eſtabliſh an abſolute monarch, and to exerciſe their love of tyranny. Reflecting on theſe matters therefore, he owned, he was alarmed at the number of Scotch officers, who had of late got into the army, more eſpecially the number of thoſe who had obtained the commands of new raiſed regiments. He concluded with declaring that he ſhould vote againſt the papers being referred to a committee.

Col. *Holroyd* ſaid, he believed the beſt method of replying to what had been inſinuated, would be by a ſhort account how the corps happened to be raiſed. Laſt ſummer, during the time invaſion was moſt talked of, he ſaid he wrote to the ſecretary at war, acquainting him, that if more light troops were wanted, he thought it was in his power to raiſe them. He mentioned at the ſame time, that he merely wiſhed to be

uſeful; that his ſituation as Major of the Suſſex Militia was as agreeable to him as any military ſituation could be. He never applied to any miniſter, he never had before the leaſt intercourſe with the Secretary at War, or chief in command. He only wrote by the poſt, in the ſtile of a man offering his aſſiſtance, not thinking of acquiring advantage to himſelf. He received an anſwer that the King accepted his offer. The regiment was raiſed in a very ſhort time, both men and horſes, and he believed thoſe who had ſeen them would ſay there were not finer in the ſervice, without one farthing expence to the public. He had neither ſtipulated for permanent rank nor half pay for himſelf. He would preſume to ſay, the public, or government, or whatever they pleaſed to call it, was infinitely more obliged to him, than he was to government. There was nothing in the gift of government could make him amends for the neglect of his private affairs, the deſertion of his family, the deſertion of his home, a home to which he was as much attached as any man in that houſe poſſibly could be; a home however, which he had ſcarce ſeen ſince the war with France began. But thoſe were the thanks to be expected from thoſe honorable gentlemen, who (called to order). As to the buſineſs of re-atteſting the men, that was ſtrangely miſrepreſented, It was not till the corps was raiſed that he was informed, it was intended as a ſenſible corps. He did not know that ſuch corps exiſted out of Scotland. He repreſented to the Commander in chief the diſappointment it would be to his officers, who came from old regiments. He was told his regiment ſhould be put on the eſtabliſhment to ſerve at large, if his men would re-atteſt for that purpoſe. He went to the regiment, explained the buſineſs fully, and all, except a very few, immediately conſented to re-atteſt. The change was very diſadvantageous to him, he ſubjected himſelf to go on any ſervice, although there was not a man in England to whom it would be more inconvenient. He ſaid he ſhould only add therefore, that there was not in that houſe, or in England, a more independent man than he was, either from principle, diſpoſition, or ſituation. He found, however, the part he took in the Milbourne-Port buſineſs, was conſidered by ſome as a mark of his dependance: but he had infinite ſatisfaction in the opportunity of propoſing ſuch an act of juſtice; his intention, was to ſupport the miniſter, as the ſervant of the public.

Mr. *Fox* in reply to Colonel Holroyd, deſired to know whether the men of his regiment had been allowed the fair alternative of being diſcharged in caſe they did not like to be re-atteſted or not.

Colonel

Colonel *Holroyd* would not anſwer, but ſaid no member was warranted to interrogate him.

The *Lord Advocate* [Dundas] ſaid, the honourable gentleman [Mr. Fox] had, when he was younger, been much wiſer; there was a time, and he might very well remember it, when he ſat on the treaſury bench, and maintained, that the voice of the people was to be collected no where but in the Houſe of Commons; but he doubted not a time would come, ere long, when the honourable gentleman would be wiſe again, and agree with him in opinion, that the preſent mode of proceeding uſed by oppoſition, could be productive only of anarchy, diſgrace, and confuſion.

Mr. *Fox* roſe, he ſaid, in anſwer to the attack that had been ſo perſonally directed againſt him, by the learned gentleman who ſpoke laſt. He expected that ſuch an attack would be made, and that it would come from ſuch a quarter. The learned gentleman had talked of what he was totally ignorant, ſince the aſſertions to which he alluded were made before he had a ſeat in the Houſe. He had been miſinformed, and he had ſpoken agreeable to that miſrepreſentation. No man who was in the Houſe at the time, and who heard the opinion that he gave, would have dared to miſrepreſent him in ſuch a manner; but ſpeaking in conſequence of the report which he had received, he had dared to do it, and he was excuſable, becauſe he did not know whether he was right or not.

In the ſecond or third ſpeech which he had ever made in his life, and at a time when he was only one and twenty years of age, perhaps expreſſions might drop from him which were looſe and undefined; but it would be very unuſual indeed to examine ſuch expreſſions with rigour. He however wiſhed that every aſſertion which he had made ſhould be fairly tried; all that he wiſhed for was that his words ſhould be fairly repreſented, and that men who were not in Parliament at the time ſhould not take the report of newſpapers, nor of informers as evidence againſt him.

He appealed to the recollection of every man in the Houſe who was preſent at the time, whether he did not, in the opinion which he gave in the affairs of the Middleſex election, build all his argument in the power of the people. Every topic which he urged was founded on this popular and proper doctrine, and was intended to maintain the power of the people in oppoſition to that of the crown and

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the Houſe of Lords. On this ground he had changed no opinion; but he ſaid that the voice of the people was to be collected in that Houſe; and in the newſpapers it was added, that he had ſaid that the voice of the people was not to be collected in petitions.

Such an expreſſion could not fall from him: it would have been as inapplicable as unjuſt. There were not any petitions then before the Houſe. There was no topic relating to ſuch a ſubject; but that the voice of the people was to be collected in that Houſe he had ſaid, and he ſtill ſaid ſo. It was to be collected in that Houſe, until they acted in oppoſition to the voice of the people in the original capacity. In all ordinary caſes it was the moſt practicable and expeditious means of declaring the ſenſe of the people; but when the repreſentative body did not ſpeak the ſenſe of the conſtituent, the voice of the latter was conſtitutional and concluſive. This had been his opinion, and it would ſtill be ſo. He ſaid there was no man who had been more ſyſtematic in his opinions, and in his conduct, than himſelf. The noble Lord in the blue ribbon would do him the juſtice to ſay ſo. It was his fault, and his misfortune to be too ſtubborn in his temper, indiſpoſed to the courting of popularity, and too much matched and wedded to his opinions when formed. He would be bold to ſay that the noble Lord in the blue ribbon would not aſſert that he had ever heard his public doctrines at variance with his private, though he knew well that he had often been ſurpriſed at opinions which that noble Lord had given in public after hearing his private ſentiments. The honourable gentleman remarked with infinite humour on what the learned gentleman had ſaid reſpecting himſelf, and his countrymen in general.

Lord *George Gordon* ſaid he would not anſwer any thing that had fallen from the laſt member, as it reſpected only himſelf, nor what came from the Lord Advocate; for though he had ſpoken half an hour, he had not ſaid a ſyllable to the queſtion. His oratory indeed was very fine. He had given the Houſe Engliſh hopes with a Scottiſh accent: "*Lingua Tuſcana in voce Romana.*" It was, however, of very little value, and however elegant it was, nothing more nor leſs than what was denominated in Scotland "the gift of the gab." It was as little regarded, however, in Scotland as it was in that Houſe, and there were even ſome of his ſpeeches for which he would be torn to pieces in Scotland. He owned that many of the nobility and the gentry of Scotland, the

ſixteen

ſixteen peers and the forty-five members were dependent on the crown and adherents of the miniſter. The poor, the induſtrious part of the poople, were the only dependent of the Scotch nation.

General *Conway* returned to the queſtion, and ſaid he could not object to going into the Committee, becauſe he could not object to the eſtimate in the groſs; but to the particular corps which a gentleman was appointed to command, who had no military ſkill and no military rank. He had no objection to the corps of Colonel Humberſton. He was entitled to it by his rank; but though he highly eſteemed the private character of Mr. Fullarton, he thought it an injury to the army that he ſhould have the command of a regular regiment, when there were ſo many veteran majors, who had the pretenſion of wounds, experience, and ſervice to plead for preference.

Lord *George Germaine* ſaid, that Mr. Fullarton had been actuated by pure zeal and ſpirit on this occaſion, as to his knowledge, he had given up a much more lucrative employment, that he might ſerve his country in this arduous and critical moment. No inſult or injury had been offered to the ſervice by accepting of his offer to raiſe a regiment. It was wanted for a ſpecial purpoſe on a ſudden; a very gallant and advantageous offer was made, and at that time there were no other offers, ſo that other men could not be preferred.

Mr. *Burke* anſwered the noble Lord, and ſaid, it was exceedingly ſingular that he ſhould riſe in vindication of a gentleman who had not been attacked, and ſay nothing in defence of miniſters againſt whom the whole ſtrength of the debate had gone. There were no other offers then made —was that a reaſon for accepting this? No other offers for this particular proviſion could be made, as the nature of the ſervice was only known to Mr. Fullarton. It was a moſt direct injury to the army, and violated every rule and principle of the ſervice. He went at large into the topic which had been much inſiſted on during the debate, of prejudices on the one ſide and partiality on the other with reſpect to Scotland. He deteſted all general imputations—all marked partialities—all determined proſcriptions. They were dangerous and fatal. We ought to be united in heart and affection as well as in intereſt, and to have but one common undivided claim to favour.

He

He would be as great an enemy to an Iriſh partiality, to a Southern partiality, as he was to a Scotch partiality. In the infancy of their union with this country there was cauſe for partiality and favour, ſince the principal men, by feeling the advantages of a well regulated and free government, would tend to conciliate the affections of the whole. But muſt they be always in their infancy? Muſt they ſtill be fed and nouriſhed to keep them quiet and reconciled? It was the marked partiality which he condemned, not the country. He paid them high compliments, as an ingenious and an enterpriſing people. As to the particular regiment, raiſed ſo unaccountably and ſo contrary to the rules of the ſervice, he muſt give his vote againſt it, and he wiſhed to go into the committee on purpoſe.

Mr. *George Onſlow* ſaid that theſe expreſſions might have a tendency to raiſe heats and animoſities in the army. He obſerved that in the laſt war ſeveral regiments were raiſed by peers, by the Duke of Rutland, the Duke of Kingſton, and others who had no rank before; and why then ſhould objections be made to this? It would be invidious to begin here.

Lord *North* ſaid a few words to ſhew that the preſent plan of temporary rank was preferable to that of the laſt war, when permanent rank was given.

The queſtion for going into the committee now paſſed, and the Speaker left the Chair.

Mr. *Secretary at War* moved that the ſum of 33,300l. and odd, be granted for the expence of the troops raiſed in the year 1780. This was for all the corps. The expence of Mr. Fullarton's corps by itſelf was 8,700 and odd pounds, ſo that thoſe who wiſhed to oppoſe that vote, would move that the ſum of 24,000l. and odd ſhould be granted.

Mr. *Thomas Townſhend* roſe, he ſaid, to oppoſe the vote for Mr. Fullarton's corps from the firmeſt opinion of its being contrary to every rule and regulation of the ſervice. He, for his own part, had no prejudice to any part of this country. He thought that the Scotch were very able officers, and their zeal and their enterprize did them honour. But he did not nor could he ſupport ſo evident and marked a partiality as appeared in favour of that country in the preſent reign. He thought Engliſh officers juſt as good as Scotch; he thought Scotch officers juſt as good as Engliſh.

Several

Several offers had been made equally ſpirited and equally advantageous with thoſe of Mr. Fullarton and Major Humberſton, and when he ſaw a Colonel Meadows and a Colonel Muſgrave unemployed, he could not be patient when ſuch appointments were made. He would be bold to ſay, that in the new-raiſed corps, there were four or five Scotch officers for one Engliſh. The Yorkſhire Rangers were all officered by Scotch; and Major Stanhope, who had a natural intereſt in the county of Derby, had been refuſed a regiment. Mr. Duburgh, a gentleman of family in Ireland, was alſo refuſed permiſſion to raiſe a corps. Lord Roſs, of the kingdom of Ireland, who was a major general, was refuſed; and another gentleman, who was a colonel in the ſervice. Their offers were as noble and advantageous; for they only deſired the continuance of their own rank.

Mr. *Fox* ſaid, that of all men breathing, no one entertained fewer prejudices than himſelf. He deteſted them. He had many valuable friends in Scotland, and he had the pleaſure to ſay that many noble perſons in that country went hand in hand with England on the preſent occaſion. He wiſhed, for his part, to unite every part of the empire, and to loſe, if poſſible, the very names of diſtinction. It had been the ſyſtem of this unfortunate reign to maintain itſelf by diviſion and diſcord. *Divide et impera* had been its favourite plan. It had accompliſhed the *divide*, but the *impera* he hoped would never follow. Ireland had been divided from England, England from Scotland, and America from Great Britain.

This ſyſtem of diviſion and diſcord had ſet brother againſt brother, man againſt man, and connexion againſt connexion. He wiſhed to ſee that ſyſtem ſuperſeded by one family and concord, which had an eye to every part of the empire, and proſcribed nothing but inability and demerit.

At eleven o'clock, the queſtion was put upon the ſum for Colonel Holroyd's dragoons which was agreed to without a diviſion. The queſtion was next put upon the ſum for Mr. Fullarton's corps, when the committee divided,

For the queſtion - -	102.
Againſt it - - -	66.

The queſtion was then put on Colonel Humberſton's corps, which was agreed to without a diviſion. The whole ſum voted for theſe ſervices being 33,300 and odd pounds.

April

April 6.

The following county petitions were preſented: that of Derby, by Lord *George Cavendiſh*. His Lordſhip obſerved, that the petition was the united voice of the whole county; that it originated ſpontaneouſly from the people themſelves; that no perſon whatever, ſuppoſed to have weight or conſequence in the county, offered to lead or dictate; that a conſiderable period had intervened between the time, ſeveral other counties had called meetings, and agreed to petitions; and though he and his friends were convinced of the neceſſity and propriety of petitioning, they were of opinion that it would be more proper to leave the county to judge for itſelf. He ſpoke likewiſe of the committees and aſſociations; and feared, if the petitions and prayers of the people were not attended to, that very alarming or fatal conſequences might follow.—He further obſerved, that though the meeting had not met till Saturday ſe'nnight, nevertheleſs a very clear and decided majority of the gentlemen, clergy, and freeholders of that county had ſigned their names to it.

Mr. *D. Coke* ſaid, he was as ready to ſupport the right of petitioning as the noble Lord, or as any other perſon in that Houſe. He was further convinced, that the grievances ſet forth in the petition exiſted; he felt them himſelf, as an individual; and he was perſuaded that the petition which the noble Lord had in his hand contained the genuine ſenſe of the freeholders of the county of Derby. If he had not thought ſo, he would never have taken the part he had in the buſineſs, both at the meeting and ſince. He knew that the petition was delayed, merely to take the ſenſe of the county. He was applied to by the Sheriff, to deliver it into the hands of the noble Lord. He waited on purpoſe, and as ſoon as it was given into his poſſeſſion, he came off with it expreſs, and arrived in town the preceding evening.

Lord *Edward Bentinck* moved for leave to bring up a petition from the county of Nottingham. He prefaced his motion with a few words; ſaid it was agreed to at a very full and reſpectable meeting almoſt unanimouſly, and had been ſigned by upwards of 3500 names.

Sir *Richard Sutton* went into a kind of topographical deſcription of the county: denied, that one half of the freeholders had ſigned it; ſpoke of the pariſh in which he reſided, where, out of twenty-ſeven gentlemen, only ſix had ſubſcribed their names. He purſued his political itinerary to Fordingham, Newark, &c. contending throughout, that, upon

upon an average, not more than a fourth had ſigned, and in ſome towns and pariſhes not one.

Lord *Edward Bentinck* ſaid, he could not tell from whence the honourable gentleman drew his information; but this he could affirm, that out of 4000 freeholders, 3500 had ſigned the petition.

Sir *Richard Sutton* replied, that the number included all thoſe who paid taxes, as well as thoſe who had a right to vote.

Lord *Edward Bentinck* rejoined, that he could not exactly pledge his word, that every perſon whoſe name was ſigned to the petition was a freeholder; but he underſtood, the petition was a petition from the freeholders of the county of Nottingham.

Sir *Richard Sutton* was again going to riſe; but a general murmur of diſapprobation being expreſſed from every ſide of the Houſe, he ſat down.

Mr. *Morgan* preſented a petition from the county of Brecknock, which he declared to be the genuine ſenſe of the county.

Lord *Algernon Percy* preſented a petition from the county of Northumberland, which he was well informed contained the general ſenſe of his conſtituents. He was ſeconded by Sir William Middleton, in a ſhort ſpeech, to the ſame purpoſe.

Hon. *Mr. Marſham* preſented a petition from the county of Kent; ſaid, there were upwards of 3500 names already ſigned to it, and that there were two or three other ſkins of parchment, containing the names of upwards, he believed, a thouſand more, which had not been tranſmitted, but were in town probably at the time while he was ſpeaking. He aſſured the Houſe, that he had taken no public or private part in the buſineſs; that the petition which he had in his hand, nevertheleſs, contained his ſentiments; and though he cautiouſly abſtained from any interference, as a repreſentative, nevertheleſs, as both a petitioner and a member of that Houſe, he approved of committees and aſſociations; for it was infinitely ridiculous and abſurd, in his opinion, to allow the right of petitioning for redreſs of grievances, and at the ſame time to contend, that in caſe redreſs ſhould be refuſed by that Houſe, that the petitioners were thereby concluded, and were incompetent to ſeek it by every legal and conſtitutional means in their power. He acknowledged, that the petition in his hand did not contain the united unanimous ſenſe of the county; that he had a counter petition to preſent from a part

of

of his conſtituents, many of whom were men of as high rank, credit, reputation, independency, and integrity, as any other within or without that Houſe; but while he was delivering his own ſentiments on the preſent occaſion, he thought it incumbent both to ſuch of his conſtituents as had ſigned the petition which he was about to preſent, and himſelf; that on one point there was not a ſecond opinion in the county, that of recommending œconomy in the expenditure of the public money. To that point both petitions went; and likewiſe, though the ſentiments contained in the petition which he held in his hand was not the unanimous ſenſe of the county of Kent, it was the ſenſe of a very decided, clear, and inequivocal majority of the freeholders.

Mr. *Honywood* confirmed every thing which had been aſſerted by the honourable gentleman who ſpoke laſt. He obſerved, notwithſtanding the county of Kent preſented ſuch a length of coaſt, full of ports and harbours, ſwarming with cuſtom-houſe, revenue, and coaſt-officers; notwithſtanding it contained an archbiſhopric and biſhopric, and of courſe that ſpecies of influence, attached to thoſe kind of eſtabliſhments; notwithſtanding the noble Lord in the blue ribbon was Lord Warden of the Cinque Ports, and Governor of Dover Caſtle, and went down in the county, ſurrounded with the double weight of Miniſter and Lord Warden; notwithſtanding there were two royal docks (Deptford and Woolwich) in the county, to which ſo much influence and patronage were inſeparably annexed; and that many perſons, ſome of whom were of the firſt weight and influence in the county, enjoyed high poſts, places, and emoluments, under government; notwithſtanding all theſe ſources of never-failing influence, the petition in his honourable friend's hand, including the two or three ſkins of parchment not annexed, amounted to upwards of 4000 names, while the other petitioners could not, with their utmoſt efforts, muſter more than 1870.

Sir *Horace Mann* ſaid, he was one of the petitioners alluded to by his honourable friend. He meant one of thoſe who diſapproved of many parts of the petition which the honourable gentleman held in his hand. The petition which he had ſigned, and which his honourable friend ſaid he would preſent, contained his ſentiments ſo fully reſpecting the committees and aſſociations, that it was needleſs for him to add any thing upon the preſent occaſion. Since he was up, however, he ſaid he could not help declaring, *viva voce*, that he thought the

the committees and aſſociations had a moſt dangerous and alarming tendency; that they threatened anarchy and public confuſion; that they might be productive of the worſt, but could be productive of no good conſequences; and without looking further than the avowed ſentiments which they contained, they called for the diſapprobation, if not deteſtation, of that Houſe, becauſe they went to eſtabliſh a controul over that Houſe, repugnant to the ſcheme and ſpirit of the Engliſh conſtitution. They ſaid to Parliament, you muſt do this, or we will adopt meaſures to compel you. This was a doctrine he ſhould ever ſet his face againſt; it amounted to a direct ſubverſion of the conſtitution, and as ſuch, ſhould be reſiſted by him in every form, and upon every occaſion, both in that Houſe and out of it.

He was ready to ſay, in the language of the petition which he had ſigned, that at no preceding period in this country was public œconomy more neceſſary. We were engaged in a dangerous and expenſive war with the united branches of the Houſe of Bourbon. We were engaged in a conteſt with a very conſiderable part of our own ſubjects. The burdens neceſſary to bear us out in ſuch a dangerous conteſt, muſt be great; and it was the indiſpenſible duty of miniſters to give every poſſible ſatisfaction to thoſe who were deſtined to bear theſe burthens; that the money raiſed upon them, in order to ſupport the great cauſe in which the country was engaged, and on which its very exiſtence as an independent nation depended, was faithfully and œconomically expended. So far therefore as the petitions of the people went to the great object of public œconomy, no man would ſupport them more chearfully.

He replied to ſeveral paſſages in Mr. Honeywood's ſpeech, particularly reſpecting the ſuppoſed exiſting influence in that county. He could ſay for himſelf, that no man was more independent. He did not deſire any credit for a bare aſſertion: he appealed to his line of conduct in that Houſe, as well as without. The noble Lord in the blue ribbon was no ſtranger to both. His Lordſhip, he dared to ſay, did not look upon himſelf under any great obligations to him in his miniſterial capacity. He ſhould be ſorry to be conſidered fickle, inconſtant, or deſultory. He knew his conduct with thoſe who knew him not, might admit of ſuch an interpretation. Be that as it might, he acted from a ſenſe of his duty. He might be wrong, but he could ſincerely declare, that he was never ſo premeditatedly. Upon the point of influence

exiſting in the county of Kent, he was free to ſay, that he believed there never was a petition ſigned in that, or any other county, which contained the ſentiments of the people who had ſigned their names more than that to which he had been alluding.

As ſoon as he came to his place he opened the contents of the other, or counter-petition. He obſerved, that the petition now in his hand, as well as that he had juſt preſented, agreed preciſely in the ſame principle of national œconomy. It was his duty to preſent it as being the ſenſe of a very numerous and reſpectable part of his conſtituents. It contained his own ſo far as it went; and where it fell ſhort of the other petition he could not help again repeating, it fell ſhort of his own public and private ſentiments.

Mr. *Marſham* then brought up the petition, which, as a matter of courſe, was referred to the committee.

Sir *George Cornewall* preſented the Herefordſhire petition. He prefaced it with a few words, aſſuring the Houſe, that it contained the ſentiments of a very great majority of the freeholders of the county he had the honour to repreſent, and as ſuch, had been ſigned by a very great majority of them.

Mr. *Criſp Molyneux* preſented a petition from the county of Cambridge. He entered into a narrative of the meeting, the great number of freeholders who attended it, the unanimity which prevailed there, not one perſon having roſe to oppoſe the principle, though one or two had objected to the committees and aſſociations.

He begged leave to acquaint the Houſe how he came to be the perſon pitched upon to preſent it to that Houſe. When the petition was read and agreed to, one hand only being held up againſt it, a motion was made that ſaid petition be preſented by the county Members. They had before expreſſed their diſapprobation of the contents, conſequently the freeholders, upon motives of common ſenſe and common prudence, thought it extremely improper that thoſe who avowed their diſapprobation ſhould be entruſted with enforcing the prayer of it in Parliament. The queſtion was however put on the motion, that the county Members do preſent it, which paſſed in the negative by a prodigious majority. He believed from doubts having been raiſed, and reaſons urged, the ſame queſtion was propoſed upwards of twenty times, and as often clearly rejected, by the ſenſe of the meeting, a very few hands only excepted. In the courſe of thoſe altercations, the county Members were called upon to ſay, whether or not they would ſupport the petitions in Parliament? But they

declined

declined to give any ſpecific anſwer. He had launched forth into an eulogium on Whig government in general, on the glorious adminiſtration of the late Earl of Chatham, during the late war, and made uſe of ſeveral ſtrong expreſſions, reprobating the ſyſtem formed at the commencement of the preſent reign, which he affirmed had been nouriſhed, ſupported, and rendered ſucceſsful, merely through the undue, corrupt, and unconſtitutional influence of the Crown.

Sir *Sampſon Gideon* (one of the county Members) ſaid, he had attended the meeting, with an intention of ſupporting the petition to the Houſe, recommending a faithful and œconomical expenditure of the public money; but, that he was much ſurprized and diſappointed to find, that ſo neceſſary and ſalutary a meaſure was accompanied with other matters, which he could by no means aſſent to, either as a Member of that Houſe, or a private individual; namely, committees and aſſociations. So far as the petition was directed to the point of œconomy, it was intitled to his entire and hearty approbation; but when aſſociations and committees, purpoſely eſtabliſhed to controul and direct the proceedings and judgment of that Houſe, formed a part of it, he thought it his duty to expreſs his diſſent. What was this, but menacing thoſe to whom the petition was addreſſed? and, inſtead of calling for a fair and diſpaſſionate determination, directly ſtating what the Houſe ſhould determine, and threatening them with the conſequences in caſe of refuſal.

Mr. *Wilkes* contended, that the honourable gentleman, he preſumed, forgot the circumſtances which he had with ſo much confidence related. The fact was not that he approved of the petition, and only diſapproved of the Committees and Aſſociations, but that he diſapproved of the petitioning at all, as a meaſure improper, while we continued to be engaged in a dangerous, expenſive war.

Sir *John Hinde Cotton* endeavoured to hold out the meeting in a very contemptuous light; ſaid it was a market day at Cambridge; that perſons of every deſcription had forced themſelves into the hall, people who were not freeholders, fizers, and ſcholars; in ſhort, he believed there were not an hundred freeholders preſent at the meeting. He knew the perſons of the greateſt part of his conſtituents, and he could affirm that there was not an hundred of them preſent, as far as he could judge.

It is true there were a few reſpectable perſons who attended. There was particularly a noble Duke, who had deſervedly great intereſt in the county, and is chairman of the committee

mittee [Duke of Rutland.] There was preſent another noble Duke, [Mancheſter], a perſon of great influence in his own county, of great reſpect every where as an individual, but, at the Cambridge meeting, who could have no particular weight, as he did not know that he poſſeſſed a foot of land in the county. Theſe, a noble Lord called to the chair, [Duncannon, ſon to the Earl of Beſborough] the honourable gentleman who held the petition in his hand, and a very few others, were all the perſons of any conſideration, who appeared as promoters of the petition. His period of life, and ſtate of health, had determined him not to offer his ſervices; but this he could ſincerely declare, that had he any intention of again ſtanding for the county, the appearance and complexion of the meeting would not have deterred him from again offering his ſervices; for though every perſon preſent at that meeting had oppoſed his future election, he would nevertheleſs have been pretty confident of ſucceſs on the poll.

He ſaid it had been propoſed that he and his worthy colleague ſhould be deſired, at the requeſt of the meeting, to preſent the petition, but that was over-ruled, as the honourable gentleman had ſtated, by a majority; but what was that majority compoſed of?—Of market-folks, the townſmen, and the rabble of Cambridge, collected together, he preſumed, for that purpoſe. This, he was entitled to ſay, could never be conſtrued as conveying the ſenſe of the county, whatever reſpect there might be juſtly due to ſome of the individuals who aſſiſted at that meeting.

Mr. *Wilkes* contradicted the aſſertions of the laſt ſpeaker. He inſiſted that no rudeneſs nor improper behaviour had been ſhewn to the honourable gentleman or his colleague; but that the ſenſe of the meeting, as a matter of courſe, was as ſtrongly againſt intruſting the county Members with the delivery of the petition, as unanimous in carrying into execution its whole tenor and contents.

Mr. *Molyneux* replied to ſeveral matters which had been aſſerted by the county Members, and ſaid, that the names ſigned to the petition afforded a ſufficient anſwer to every contemptuous expreſſion made uſe of by the honourable Baronet who ſpoke laſt. The truth was, that the meeting was not compoſed of a rabble; ſo far from it, that 1200, though the time was ſo ſhort, had ſubſcribed their names to the petition, which he believed was a clear deciſive majority of the freeholders; ſuch a majority as the honourable Baronet would not be inclined to meet at the approaching election. He was

aſtoniſhed

aſtoniſhed to hear the honourable Gentleman deſcribe ſo reſpectable a body of his conſtituents under the denomination of a rabble. There was beſides a circumſtance attending that meeting, almoſt peculiar to itſelf, which was its being convened at the requeſt of the yeomen of the county, a moſt independent, and in every ſenſe, as to the purpoſes of the meeting, a reſpectable body of men. They were neither to be influenced to anſwer the purpoſes of faction, nor deterred from their duty from any corrupt motives. They appeared there as men free and independent, and though not perſons of great conſequence or weight, did not deſerve to be treated in ſo contemptuous a manner.—The petition was brought up, and of courſe referred.

Sir *Charles Banbury* preſented the Suffolk petition; vouched for its containing the genuine ſenſe of his conſtituents; and moved that it be referred to the Committee.

At ten minutes after five, the order of the day was called for, to take the petitions into conſideration, and the titles of the ſaid petitions read, in all forty in number, when Mr. *Dunning* roſe, and ſaid, it was unneceſſary to obſerve that the ſubject matter to be taken into conſideration, was the ſubject matter contained in the petitions. Independent of the great objects which the petitions recommended to the care and attention of Parliament, which had been according to the particular ideas of the ſeveral claſſes of petitioners of a various nature, there was one great fundamental point on which they hinged, that of ſetting limits or paring down the encreaſed, dangerous, and alarming influence of the Crown, and an œconomical expenditure of the public money. In one point of view, both theſe objects might be fairly conſolidated into one great principle. For inſtance, if the public money was faithfully applied, and frugally expended, that would reduce the influence of the Crown; if, on the other hand, the influence of the Crown was reſtrained within its natural and conſtitutional limits, it would once more reſtore that power which the Conſtitution had veſted in that Houſe, the enquiring into and controuling the expenditure of public money; but nevertheleſs, though the principle embraced one great object, a neceſſity aroſe, that the principle ſhould be divided; that is, the remedy ſhould, in purſuance of the objects held forth and recommended in the petitions, be directed to two points.

Before he proceeded any further, therefore, he ſhould take it for granted, becauſe the fact ſtood ſo ſtated in the petitions on the table, that a reform of the public expendi-

ture, and limiting and reſtraining the encreaſing influence of the Crown, were the two great objects which muſt draw the attention of that Houſe, and neceſſarily force thoſe two important ſubjects into diſcuſſion.

Theſe being the evils ſet forth in the petition, it was his duty, however unequal he might be to the taſk he had undertaken, to apply what he deemed ſpecific and diſtinct remedies to them both; that was, to propoſe ſome remedy, or frame ſome reſolution, which would ſerve as a baſis, on which he might afterwards erect a ſyſtem of meaſures, to anſwer the purpoſe, and comply with the wiſhes, of the petitioners.

Before he proceeded any further, it would be neceſſary for him to ſtate and remind the Houſe of what had been done, as it was ſuppoſed, in conſequence of the petitions now on the table, and how far thoſe attempts had or had not ſucceeded; becauſe ſuch an enquiry would partly point out the reſiſtance already made and avowed to the great objects of the petitions; and would have this important effect; it would ſhew, that no redreſs could be, or was meant to be given to the petitioners, by the modes already tried; and at the ſame time prove preciſely, nay literally, in what particulars thoſe who were ſuppoſed to lead and direct the majorities of that Houſe, meant to reſiſt and defeat the prayers of the petitions.

An honourable gentleman behind him [Mr. Burke] had produced a bill partly upon the plan of the petitions. It might not embrace every object deſcribed, or pointed to in the petitions; but he believed no perſon, on any ſide of the Houſe, would diſpute with him, that the bill contained nothing but what was conſonant to the letter and ſpirit of the petitions, nor excluded or determined againſt a ſyllable of their contents.

He ſhould not attempt to do that gentleman juſtice for his unwearied endeavours on that occaſion, becauſe, with the very beſt diſpoſition to do it, he found himſelf totally unequal to the undertaking. He knew it would be painful to his honourable friend to hear his ſentiments while preſent; but as an act of duty, which he thought himſelf bound to diſcharge, however irkſome to his honourable friend, he could not paſs over in ſilence, what muſt remain as a monument to be handed down to poſterity, of the uncommon zeal, unrivalled induſtry, aſtoniſhing abilities, and invincible perſeverance of the honourable gentleman. He had undertaken a taſk big with labour and difficulty; a taſk that embraced a variety of the moſt important objects, extenſive, various, and complicated; yet ſuch was the eminent and unequalled abilities,

abilities, ſo extraordinary the talents and ingenuity, and ſuch the fortunate frame of the honourable gentleman's mind, his vaſt capacity and happy conception, that in his hands, what muſt have proved a vaſt heap of ponderous matter, compoſed of heterogeneous ingredients, diſcordant in their nature, and oppoſite in principle, was ſo ſkilfully arranged as to become quite ſimple as to each reſpective part, dependent on each other; and the whole at the ſame time ſo judiciouſly combined, as to preſent nothing to almoſt any mind tolerably intelligent, to divide, puzzle, or diſtract it. This was a true deſcription of his honourable friend's bill. He truſted that he would permit him to uſe that appellation, and it was his peculiar pride to be permitted to do ſo.

But what was the conſequence of ſuch a bill, brought forward by ſuch a man? Upon its being firſt propoſed, the united approbation of, he believed, every individual in that Houſe. The higheſt, and, in his opinion, the beſt deſerved eulogiums of every part; and he believed moſt ſincerely, its genuine ſentiments at the time, for he could ſafely make a diſtinction between the real ſentiments of that Houſe permitted to act according to its own immediate feelings, and the impreſſions afterwards made upon it ariſing from without. The Houſe, he believed, expreſſed the former, on the occaſion alluded to; when other opinions ſeemed to prevail, he moſt ſincerely believed, and was firmly perſuaded, that the latter temper and diſpoſition which appeared towards his honourable friend's bill, originated out of that Houſe, and not within theſe walls.

Such being the reception of the bill, or of the propoſition for introducing it, what was its reception when it was introduced?—Doubts were immediately ſtarted as ſoon as it made its appearance. A ſhew of candour, a kind of mock approbation was to be preſerved. It might contain ſome matter worthy of conſideration; but it was ſhortly avowed by the noble Lord, who is ſuppoſed to lead the majorities of this Houſe, that the bill, as to the great objects which it propoſed to attain, was fundamentally wrong. What were thoſe objects? Almoſt the very objects propoſed to be obtained by the petitions now on your table; a reduction of the undue and unconſtitutional influence of the Crown, and an enquiry into the expenditure of the Civil Liſt, the aboliſhing ſinecure places, exorbitant ſalaries, &c.

Whatever dexterity may have been uſed, ſome matters came out in the courſe of this conteſt, which have in fact

been the occaſion of the trouble I am now going to give this Houſe.

In the courſe of this very important diſcuſſion, two fundamental points came into controverſy; but more of that as I proceed. The firſt clauſe in the honourable gentleman's bill relative to the office of a third Secretary of State, purſued the idea of the petitions; it went to the reduction of the public expenditure, and to the aboliſhing of an uſeleſs office. The noble Lord in the blue ribbon, and an honourable gentleman of great abilities, and of great ſuppoſed weight in this Houſe, met both principles fairly, in argument; but at the ſame time contended, that the place was not uſeleſs. The noble Lord in the blue ribbon ſaid, that the influence of the Crown was not too great; another noble Lord [Nugent] contended, that the influence of the Crown, as ſtated in argument, was conſtitutional and neceſſary; and the honourable gentleman to whom I have juſt alluded [Mr. Rigby] met the other point inſiſted on in the petitions, the enquiry into the expenditure of his Majeſty's civil liſt revenue, by ſaying it was not competent to this Houſe. The honourable gentleman was challenged to bring his queſtion forward; the noble Lord ſhrunk from the conteſt, under the ſame pretext that I foreſee he will endeavour to defeat, or evade the reſolution which I ſhall have the honour to move; and the honourable gentleman ſeemed himſelf not ſo ſanguine, when the matter was decided by a queſtion moved to take the ſenſe of the Houſe.

Be that as it may, my honourable friend's clauſe was loſt, under the pretence that the office propoſed to be aboliſhed was not uſeleſs, or, if it was, that no evidence of its being uſeleſs had appeared. I foreſee, likewiſe, that I ſhall be called on, for evidence of the truth of what I ſhall move in this committee.

The next clauſe, relative to the abolition of the Board of Trade, was oppoſed on the ſame oſtenſible ground, of its not being uſeleſs. The miniſter, however, beſides the oſtenſible ground, maintained both the other doctrines, that the influence of the Crown was not too much, and that the Parliament had no right to controul the civil liſt expenditure; but the Houſe was not to be drove. The Houſe revolted, and the clauſe was carried by a ſmall majority.

What was the fate of the next clauſe? That was openly oppoſed in principle; which principle was ſupported, in one ſhape or other, by a great majority of this Houſe. The

King's houſhold was deemed ſacred, it was not to be touched; a diſtinction was made by thoſe who gave the miniſter that majority; uſeleſs places which relate to the functions of the ſtate may be aboliſhed, but the King's revenue for the ſupport of his houſhold is his own private perſonal revenue, with which Parliament neither have, nor can have, any thing to do. Here, I may ſay, my honourable friend's bill was put an end to.

The next attempt made in purſuance of the prayers of the petitions, was by an honourable friend of mine, [Colonel Barré] with whom I have long lived in habits of the greateſt intimacy and friendſhip. My honourable friend ſuggeſted the propriety of inſtituting a committee of accounts. This went to another part of the prayer of the petitions, the mode of collecting, tranſmitting, receiving, and iſſuing the public monies. My honourable friend, with great labour and indefatigable attention, aided by the ability and experience he is confeſſedly known to poſſeſs, ſpared no pains to render his plan as perfect as poſſible. A very few days had not intervened, before the noble Lord in the blue ribbon, foreſeeing that many things extremely irkſome and unpleaſant to his Lordſhip might come out, ſhould ſuch a commiſſion be inſtituted, run a race with my honourable friend for the bill; and without any private communication or previous information, ſnatched the bill from out of the hands of my honourable friend, where it had been placed by the unanimous voice and approbation of the Houſe. But my honourable friend by this act, which wore in its firſt aſpect a very ſuſpicious appearance, and in every reſpect a very uncandid ungentlemanlike appearance, had no reaſon to complain. Neither ſhould I think, or care about who performed the duty to the public, ſo it had been well and faithfully performed. Was that the caſe? By no means. It is true his Lordſhip has brought in a bill, but what is it? A bill appointing commiſſioners to inſpect the public accounts, not the accounts in general, but ſome particular accounts, ſomething relative to balances. Who again are to be the commiſſioners appointed to execute this buſineſs? Not members of this Houſe; but perſons out of it, to be appointed by the noble Lord himſelf. A bill of a ſimilar nature was paſſed in the Second of William and Mary. In that bill it was provided, that all the public accounts, including the civil liſt, ſhould be enquired into, the privy purſe, and ſecret ſervice money alone excepted; and this exception not to extend to perſons in this Houſe enjoying penſions. Here the civil liſt expenditure is totally omitted; and though it were not, no enquiry could extend

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to members enjoying penſions here, becauſe the liſt of thoſe penſions have been already denied by the noble Lord.

Another effort was made to diminiſh the influence of the Crown in this Houſe, by an honourable gentleman [Sir P. Jennings Clerke] by excluding perſons holding contracts, made privately with any of the official boards, which was attended with more ſucceſs than either of the other two I have mentioned; ſo that the whole of what has been done, in conſequence of that pile of parchment now on your table, containing the ſentiments, the prayers, and petitions of above one hundred thouſand electors, amounts in the whole, to a ſingle clauſe in my honourable friend's bill, which ſtanding naked, as it does, is of little or no importance; the propoſition ſnatched out of my other honourable friend's hands by the noble Lord, and only matched to inſult you in this Houſe, and mock your conſtituents out of it, and the contractors bill, which miniſters, or at leaſt their friends and confidents, pretend to predict, will miſcarry in another place; or, ſhould that not happen to be the caſe, boaſt that it will anſwer no one purpoſe of thoſe who have framed and ſupported it. Such is the manner the dutiful and reſpectable petitions of the people of England has been treated. I truſt, however, that the people of England, knowing how they have been treated, will reſent the inſult put upon them by thoſe, who, to oppreſſion and neglect, have added mockery and contempt.

I would add a word or two, reſpecting my honourable friend below me, [Colonel Barré] for the faithful and diſintereſted performance, reſpecting his duty in this Houſe; how has he been treated by ſome of his opponents? He has been called a dependant; I preſume, alluding to the honour he enjoys in the friendſhip and intimacy of a certain noble Lord, a member of the other Houſe [Lord Shelburne]. If that intimacy and friendſhip be a ſtate of dependance, I am happy in claſſing myſelf among that noble Lord's dependants. I will aſſure thoſe who have alluded to what they call dependance, that it is a ſtate of dependance, accompanied with perfect freedom. It is true, my honourable friend has been honoured with the noble Lord's friendſhip, for upwards of twenty years; but I think I know the frame of mind and diſpoſition of my honourable friend too well, to be perſuaded that he would purchaſe any man's intimacy upon any terms ſhort of a perfect equality, and mutual confidence; and I think I may likewiſe add, that if any perſon ſhould attempt to purchaſe the noble Lord's friendſhip, by mean or improper conceſſions, there is not a man on earth would more readily

dily ſee through or deſpiſe it. I know the noble Lord to be a great private as well as public character. I know my honourable friend to poſſeſs a ſpirit of true independence. I am perſuaded of the noble Lord's great and acknowledged talents as a ſenator and a politician; and I can add, great as he may appear in a public light, his private character is no leſs amiable and worthy of general admiration.

Having endeavoured, as far as lay in my power, to deſcribe what the petitioners mean, and what adminiſtration mean; on the other hand, give me leave to recur to the ground of my preſent propoſed reſolutions.

I have already obſerved that the great objects of the petitioners have been reſiſted both in argument and by public avowals, by the miniſter and his friends. They have told you that the influence of the Crown is not too much, and ought not of courſe to be leſſened; the petitioners have aſſerted the direct contrary. Miniſters have told you, that it is not competent for this Houſe to enquire into the expenditure of the civil liſt; the direct contrary are the ſentiments of the petitioners. To talk of petitions or redreſs is vain, idle, nugatory, and ineffectual, while theſe two points are maintained by thoſe who had the majority of the Houſe. To bring both theſe points fairly to iſſue, I mean to frame two propoſitions, abſtracted from the petitions on your table, and take the ſenſe of the committee upon them. I mean that they ſhall be ſhort, and as ſimple as poſſible, ſo as to draw forth a direct affirmative or negative. If the committee ſhould agree with me in the reſolutions, I mean to follow them up with real, ſubſtantial, practicable meaſures, if ſuch; but that ſhould they diſagree or diſſent, or endeavour to evade or procraſtinate, there will be at once an end of the petitions, and a full anſwer to the petitioners.

It may be aſked, are my propoſitions to be taken from the petitions on the table? Are they to be worded in the language of this or that petition? By no means. Some may be more extenſive, others may be more full and ſpecific; it will ſuffice that my propoſitions will not differ from any, as to the principle, though copied from none.

My firſt reſolution will be, "that the influence of the Crown has increaſed, is increaſing, and ought to be diminiſhed." My ſecond, "that it is competent for this Houſe to reform the civil liſt, or any part of the public expenditure."

He then proceeded to argue the queſtion on the ground of notoriety, that the influence of the Crown was increaſed, and

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ought to be diminiſhed, having firſt regularly moved it. He ſupported his argument, not upon proof, which he ſaid it was idle to require, and muſt be decided by the conſciences of thoſe who as a jury were called upon to determine what was or was not within their own knowledge. He could affirm upon his own knowledge, and pledge his honour to the truth of the aſſertion, that he knew upwards of fifty members in that Houſe who voted always in the train of the noble Lord in the blue ribbon; that confeſſed out of the Houſe, that the influence of the crown was increaſed, and dangerouſly increaſed. He adduced ſeveral arguments of a ſimilar nature, and ſat down, he ſaid, with this conſolation, that the minority of that Houſe, nor the people at large, would no longer be mocked and inſulted with this or that management or trick, this or that evaſion; for the certain alternative would be, that the deciſion on the queſtion now propoſed by him would declare, whether the petitions were to be really attended to, or finally and totally rejected.

Lord *Nugent* obſerved, that the honourable gentleman had founded his motion on the petitions then lying on the table. He had, from time to time, attended to the contents of ſaid petitions, and did not recollect any part of which accorded with the two reſolutions ſtated by the honourable gentleman. He acknowledged, that ſome of the petitions ſtated one grievance, and ſome another, but none of them any thing reſembling the propoſition moved, or the other propoſition opened by the learned gentleman. They did not go ſo far as many of the petitions, and they went farther than others. Some of the petitions were confined merely to the œconomical expenditure of public money; ſome to the abolition of ſine-cure places, unmerited penſions, exorbitant ſalaries, &c. and many of them proceeded on the idea, "that the influence of the crown had increaſed to a degree dangerous to the liberties of the people." Such being the real ſtate of the petitions on the table, he recommended to the learned gentleman to modify his motion, ſo as to take up the ſpecific prayer of ſome one petition, or frame it ſo as to make it an aggregate of them all; otherwiſe, the reſolution now moved muſt be conſidered to be the learned gentleman's own opinion on the ſubject, and not that of any one ſet or claſs of petitioners.—In the courſe of diſcuſſing the reſolution therefore, it would not admit of the matter contained in ſaid petitions being more than collaterally introduced into the debate. Would the honourable gentleman ſay, that the influence

influence of the crown was, or was not, dangerous to the liberties of the people? If not, the propoſition, which he called upon the committee to reſolve, could not be conſidered in any other light than as the individual opinion of the learned gentleman.

Mr. *Dunning* ſaid, he thought he had ſufficiently explained himſelf in the courſe of his ſpeech. His own ſentiments, he aſſured the noble Lord, went the full length of ſuch of the petitions as aſſerted, "that the influence of the crown had increaſed to a degree dangerous to the liberties of the people." Some other petitions did not go ſo far; but he believed, nine out of ten of the petitions on the table contained this general propoſition, "that the influence of the crown was increaſed, and improperly and unconſtitutionally increaſed; and that a reform in the expenditure of the civil liſt revenue was become abſolutely neceſſary." So far, therefore, his two propoſitions were meant to go; namely, to the prayer of every petition, and to contradict none. They contained an abſtract of the whole of the petitions on the table, and formed a great principle of union, importing, in the groſs, what was prayed for by each ſeparately. Such as the propoſitions were, he was perfectly ſatisfied with them. He was much obliged to the noble Lord for his proffered aid upon the preſent occaſion, though, for the reaſons both before and now given, he muſt decline making uſe of it.—The propoſition before the committee, and now moved by the way of reſolution, be it his private opinion or not, muſt ſtand or fall upon its own merit; it was not an abſtracted propoſition; though, as he foreſaw at the opening, he ſhould not be ſurpriſed to hear it called an abſtract propoſition.

Lord *Nugent* ſaid, he thought the reſolution now moved, clearly an abſtract propoſition.—The learned gentleman had ſaid, that he would not inform the Houſe what further meaſures he intended to graft upon his two intended reſolutions. This he always underſtood to be the true definition of an abſtract queſtion. There were to be ſure inſtances in the records of Parliament, in which abſtract queſtions were moved and agreed to, but they were very improper examples or precedents to be followed; but in general, even then they related to ſome previous proceeding in the Houſe, ſome diſputed point, ſome ſubject of controverſy under diſcuſſion, in which the ſenſe of the Houſe was particularly called for. When this happened not to be the caſe, the perſon

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who came to deſire the Houſe to vote an abſtract queſtion, having a proſpective view to meaſures which were to be ingrafted in it, was bound by the nature of the requiſitions thus made, to explain to the Houſe what thoſe meaſures were intended to be; otherwiſe, one of thoſe two things might happen, that either the Houſe might agree to an abſtract queſtion, to no manner of purpoſe, or, having reſolved it, might be obliged to negative the meaſure ſo engrafted, though it bore a ſtrong ſeeming relation to the antecedent reſolution agreed to.——It was the eſtabliſhed uſage of Parliament to do ſo; it was a duty in point of candour incumbent on the member who made it; and it was every way agreeable to the wiſdom and juſtice of that Houſe.

In this point of view, the queſtion now propoſed was an abſtract one, becauſe it was not connected with any one meaſure whatever; it pointed to no remedy, nor was it apparently deſigned to avert any evil. For inſtance, many gentlemen in that Houſe might think, that the influence of the crown was increaſed; ſome, that it was increaſing; and others, that it ought to be diminiſhed. Nevertheleſs, if the propoſition ſhould be reſolved, when the meaſure which the learned gentlemen meant to follow it up with came to be conſidered and divided upon, the ſame gentlemen, who agreed with the queſtion in abſtract, might totally diſapprove of the remedy to be applied; whereas, if the meaſure of correction accompanied the fact of abuſe, the ſame gentlemen who might vote the queſtion in abſtract, would many of them probably reject it, when they ſhould be acquainted with the uſe or end propoſed by voting it to be true.

Upon the propoſition itſelf, he could fairly ſay it was not founded. He had more than once given it as his ſincere opinion, that the influence of the crown was not encreaſed, neither comparatively encreaſed, or improperly encreaſed. He had long ſat in Parliament, and he could affirm, he never recollected a period in which influence was leſs felt, than ſince his noble friend in the blue ribbon came into his preſent ſituation; but allowing that the influence of the crown had been gradually on the encreaſe ſince the period alluded to by the learned gentleman, as quoted from the words of an ingenious political writer [Mr. Hume] would the learned gentleman, or any other gentleman, lay his hand fairly on his heart, and declare, that he thought this was the time, and peculiarly the time, which called for its immediate

mediate diminution? At a time when America was loſt, he would ſpeak out, he feared irretrievably loſt. [A loud cry of hear him! hear him!] He was willing to repeat his words, America was loſt. The American war proved a wrong meaſure. He ſupported the war. He was not aſhamed to own that he was wrong himſelf. [Another loud cry from the oppoſition benches.] He did not mean to ſay that it was wrong in principle, for in a ſimilar ſituation he ſhould adhere to his former conduct; but what he wiſhed to convey to his auditors was, that from a ſucceſſion of untoward accidents, unexpected events, and a want of ſucceſs, that it was wrong, becauſe the event proved unfortunate. But after ſuch a ſeries of diſappointments, followed by a war with France, and cloſely followed again by a war with Spain, with great loans, heavy taxes, and all the unpopular conſequences incident to ſuch a ſtate of things, to contend that the influence of the crown was increaſing and ought to be diminiſhed, was, in his opinion, to the laſt degree prepoſterous. The people were heavily burthened; they foreſaw an increaſe of thoſe burthens daily approaching, they felt the loſs of America; they were diſappointed and out of temper; conſequently it was idle to talk of the dangerous influence of the crown. But ſuppoſing the argument which he had heard frequently urged in that Houſe of late, that the encreaſe of taxes, of the influence ariſing from a ſtate of war, in the military departments of government, had thrown a ſudden weight into the hands of the crown; would not every gentleman preſent acknowledge that this influence could only have temporary duration; that it muſt ceaſe with the cauſe, the continuance of the war; and that as ſoon as peace was reſtored, things would flow into their old channel? Yet thoſe who maintain the propriety of reducing the influence of the crown, are ſo abſurd to apply a remedy which they mean ſhall operate perpetually, while they acknowledge that the chief cauſe of the evil is but of a temporary nature, and will ceaſe to operate with the duration of the preſent war.

The learned gentleman has produced a propoſition, that the influence of the crown "has encreaſed, is encreaſing, and ought to be diminiſhed." Has he produced, or ſo much as promiſed, a tittle of evidence of the facts ſo alledged? Not a word of that: but he has ſaid a great deal about the opinions of ſpeculative men, of an eminent lawyer lately deceaſed, and of two ingenious political writers [Hume and Blackſtone.]

Blackſtone.] The former ſays, the influence of the crown began to ſhew itſelf in or about the year 1742. I was in Parliament before that period, and remember, that clamours and ſpeculations of that kind prevailed long before the year 1742; but I proteſt that I thought then as I think now, that they were totally unfounded; and I can fairly affirm, that I never felt it myſelf, nor gave a ſingle vote under any influence whatever, but what was neceſſary for the ſupport of government. [A loud murmur.]

But I will go one ſtep further, and take the two firſt aſſertions in the honourable gentleman's propoſition as proved, that the influence of the crown has encreaſed, and is encreaſing; will the learned gentleman's concluſion follow? May not this encreaſed influence be neceſſary? Has he ventured to ſtate that it is not? By no means; he declines the fair allegation that it is improper or unconſtitutional, and takes a leap to his concluſion, by inferring that it ought to be diminiſhed.

On the whole, the learned gentleman has deſired the committee to vote an abſtract queſtion, declaring his intention of holding back the point which ſhould be the proper ſubject of debate; he has taken facts as proved, without offering any ſpecies of proof whatever: and finally, he has drawn a concluſion not by any means deducible from the premiſes ſtated in the reſolution. It is true, he has argued much on the ground of notoriety, for the greater part depending on the authority of the writers which I have mentioned; a very extraordinary medium of proof, in my opinion, to found a reſolution of Parliament upon: and the honourable gentleman has further adduced the contradiction between the conduct of gentlemen in that Houſe, who vote with the miniſters, with the language held by the ſame perſon out of it. He ſays, that they vote within theſe walls that no ſuch unconſtitutional influence exiſts; and without them, acknowledge that it does exiſt to a dangerous degree. I do not know well how to contradict this aſſertion of the honourable gentleman; but this I will affirm, that if there be ſuch abandoned wretches within theſe walls, that they merit the contempt of every honeſt man within and without this Houſe, and the indignation, reprobation, and deteſtation of mankind: they are wretches indeed; they are no leſs profligate than ſhameleſs; they at once convict themſelves, and glory in their infamy. I hope there are not any ſuch, not only in this Houſe, but in any place elſe; for I am ſure they are not

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fit for human ſociety. I am inclined to hope, that the learned gentleman is rather miſtaken, or has exaggerated their number. This I will ſay, however, that if there be any ſuch at this ſide of the Houſe, that I hope they will, in the courſe of the evening, go over to the other ſide; for I will ever be of opinion, that the cauſe which is ſupported by ſuch men ought to be abandoned; and, as one, I call upon them, "Go you worſt of men, be your hearts and motives ever ſo corrupt, preſerve ſome appearance of principle and decency, and ſupport thoſe ſentiments in public, which you approve of and ſecretly avow in private."

Mr. *Dunning* roſe and ſaid, he thought it his duty to ſay a word or two in anſwer to what had fallen from the noble Lord. His Lordſhip doubted of the fact relative to the contradictory ſentiments entertained by ſome gentlemen in that Houſe. He believed it would be extremely improper to mention names; but though he confined his deſcription to fifty, he believed he might with truth extend it to a much greater number. He mixed much with mankind; his habits of life and profeſſion gave him frequent opportunities of being acquainted with the ſentiments of many perſons in that Houſe, when they were out of it; and he could declare upon his honour, that he was fully warranted in the aſſertion he had made, that he knew fifty members in that Houſe, and the moſt of them within his hearing, who totally reprobated and condemned, out of the Houſe, the meaſures they ſupported and voted for in it; and though no man held private converſation more ſacred than he did, if the iſſue of the preſent debate was to depend upon naming them, and that it was the pleaſure of the Houſe to deſire it, he could and would name them.

Mr. *G. Rous* ſaid that gentlemen on the other ſide of the Houſe had reſted their arguments for ſome time paſt chiefly on two points; that it was neceſſary the Crown ſhould have influence both within and without that Houſe; and that gentlemen who compoſed oppoſition were inſtigated by motives of ambition. He thought it was neceſſary to grant both propoſitions, in order to explain the true grounds on which they ſtood.

For his part he was one who thought that the Crown ought to have an influence in that Houſe; but what ſpecies of influence? Not ſurely a corrupt one. By no means; a fair conſtitutional influence; an influence ariſing from a confidence in government; originating in a full conviction that

the meaſures propoſed by its ſubordinate miniſters were founded in wiſdom; were calculated for the proſperity of the community; for the purpoſe of internal proſperity and external ſtrength; in a thorough conviction that the perſons entruſted with the exerciſe of the executive power were ſelected for their integrity, talents, and public virtue. This was the influence, and the only influence that ſhould ever be felt in that Houſe; but on the other hand, when the oppoſite qualities were thoſe which encouraged perſons to be the candidates for places of the higheſt truſt and conſequences under government, who could, without a mixture of indignation, and the moſt ineffable contempt, liſten to ſuch as maintained in argument that the friends and ſupporters of ſuch an adminiſtration were not under the dominion of the moſt corrupt and unconſtitutional influence? The matter admitted not of a moment's controverſy; it was indeed totally abſurd to ſpend a moment's diſcuſſion on the ſubject.

As to the other point, relative to ambition, he would make a ſimilar diſtinction. As far as he could judge, the fact was acknowledged. The gentlemen on his ſide of the Houſe were ambitious; he hoped they were; but he was perſuaded that they were actuated by a noble and laudable ambition; an ambition to ſerve their country, to reſtore it to its loſt ſtate of former dignity, power, and glory; of putting themſelves into ſituations of truſt and honour, in which they could render themſelves truly and effectually ſerviceable at ſo perilous a criſis; to ſnatch it from the ruin which threatened, and to render the beſt ſervices that their Sovereign and their fellow ſubjects could derive from an union of great integrity and correſpondent talents! Was this a corrupt or factious ambition? He hoped not. He hoped it was a ſpecies of ambition every man at that ſide of the Houſe felt, becauſe it was only by ſuch an ambition that the ſalvation of this country could be effected.

Mr. *Martin* ſpoke at the ſame ſide. He contraſted the ſtate of this country when his Majeſty came to the throne with its preſent deplorable and humiliating ſituation; and obſerved, how directly repugnant and contradictory the events were which marked the conduct, and formed the leading occurrences of the adminiſtration of the late Earl of Chatham, and of thoſe who directed the affairs of this country at preſent.

The noble Lord who ſpoke lately [Nugent] had emphatically aſked, whether the late Lord Chatham had not influence,

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or if the influence of the Crown was not very conſiderable during his adminiſtration? Moſt certainly it was; his wiſdom, his abilities, his love of his country, procured him an aſcendency in his Majeſty's councils; he was the miniſter of the people as well as the Sovereign. He had their confidence, and the bleſſings and advantages of his adminiſtration were fully commenſurate to both. The influence of the Crown was indeed immenſe during his adminiſtration. Why was it ſo? Becauſe that influence was directed to, as it was productive of the happieſt, moſt beneficial, and glorious conſequences. How was the influence of the Crown now exerted? To produce conſequences in every reſpect the direct reverſe.

He then entered into a general argument, to prove that the preſent influence of the Crown was founded in corruption; that inſtead of ſtrength it only produced imbecility; inſtead of glory, diſgrace; and inſtead of benefits and advantages, a train of nothing but meaſures tending to national ruin, and that by a variety of means; heavy taxes, a loſs of national honour, and a confirmed ſyſtem of corruption, leading to a final overthrow of the conſtitution, and he feared of the nation, as an independent ſtate.

Sir *Fletcher Norton* ſaid, his ſituation in that Houſe rendered it extremely irkſome to him to riſe upon the preſent occaſion, as it might be thought that his ſituation carried with it ſome degree of influence, and that it was his duty to keep the ſcale even, and not to take any decided part reſpecting the contrariety of opinions which prevailed in that Houſe; but however cautious he ought to be from obtruding his own opinions on it, there were inſtances in which it would be criminal in him to remain ſilent. The preſent he deemed one of them; and ſhould therefore make no further apology for ſtating his ſentiments to the committee.

He ſaid, that Houſe and the people at large lay under the higheſt obligations to his learned and honourable friend, for bringing the preſent queſtion under diſcuſſion. He for his part returned him his moſt ſincere and hearty thanks. It was a queſtion of infinite conſequence, and on whatever ſide it might be determined, he was happy in the opportunity it afforded him of diſcharging his duty as a member of that Houſe, to his conſtituents and his country in general.

The noble Lord had called it an abſtract queſtion; in this he begged leave to totally differ from the noble Lord. It was by no means an abſtract queſtion; it was a queſtion of fact. What were the facts? It deſired the Houſe to reſolve

in the firſt inſtance, that the influence of the Crown has increaſed; who would doubt the truth of that fact? That it is increaſing; could any man doubt of that, either? He believed not. If there was any ſuch perſon preſent, he was ſure he was not that perſon. He had ſeen many inſtances of both ſince he had the honour of a ſeat in that Houſe, ſufficient to ſay that the influence of the Crown has increaſed and is increaſing. The petitions on the table averred the fact; it was the duty of the Houſe to ſay whether it was or was not ſo. It was an allegation which called for no proof; it did not indeed admit of any. It could only be known to the members of that Houſe, as they were the only perſons competent to reſolve it; if proved by evidence, ſuch were the circumſtances of the affair, that they only could know whether it was true or falſe. They were bound as jurors, by the conviction ariſing in their own minds, and were obliged to determine accordingly.

The noble Lord [Nugent] ſaid, though the facts ſo ſtated had been true and acknowledged, the conſequence by no means followed from the premiſes; becauſe, though the influence of the crown had increaſed and is increaſing, before the concluſion could be drawn, that it ought to be diminiſhed; it ſhould have been ſtated, that this influence was dangerous, unconſtitutional, or improper, or ſome other cauſe ſhewn why it ought to be diminiſhed. For his part, he could never ſubſcribe to the truth of this argument, nor admit its force; for the firſt part of the propoſition clearly looked back to ſome antecedent period, in which the crown poſſeſſed a certain ſpecies of influence; the teſt of what the influence of the crown ought to be, was referred to that period by the two aſſertions, "has encreaſed," and "is increaſing," and conſequently the facts ſo ſtated implied an innovation, or charge, which was the foundation of the premiſes from whence the concluſion was drawn. If the facts were granted, the deduction was inevitable: they are generally aſſerted, and the concluſion was made in the ſame general terms. It does not ſay how much the influence of the crown has increaſed, or is increaſing, nor does it mete out the degree in which it ought to be diminiſhed. That will be the buſineſs of my learned friend, when he comes to apply the remedy to the evil.

The noble Lord talks of the neceſſity of proof; for my part, I think the petitions contain a full proof, ſo far as the ſame relate to the queſtion, at leaſt they oblige thoſe who controvert the allegations contained in them, to bring proof of

of the contrary; they are bound to ſhew that the influence of the crown has not increaſed, nor is increaſing, and of courſe ought not to be diminiſhed.

Every perſon in that Houſe muſt come within one or the other of the following deſcriptions. Such as thought the influence of the crown was increaſed, but not too much; that it is not enough increaſed; or who were of opinion, that it ſtood preciſely at preſent at the point it ought to ſtand. It would be incumbent on thoſe who thought the firſt, to prevent its further increaſe; of the ſecond, to ſhew in what inſtances the hands of the crown called for additional ſtrength; and of the laſt, fairly to draw the line, to prevent a further increaſe.

No man had an higher veneration for monarchy than he had; he meant that ſpecies of it eſtabliſhed in this country, "a monarchy limited by law." He did not intend to enter into an abſtract diſquiſition of the advantages ſuch a mode of civil government had over all others, but this he would ſay, that it was the form beſt ſuited to the genius and diſpoſition of the people of this country. They had lived under it for many centuries, and whatever changes had happened in the revolutions of time and ſucceſſive ages, they had hitherto preſerved their liberties. Such a government, he was free to ſay, required no aſſiſtance but what it derived from the conſtitution and the laws. The powers veſted in the executive part of the government, and in his opinion wiſely placed there, were ample and ſufficient for all the purpoſes of good government, and without any further aid, were much too ample for the purpoſes of bad government; and he thought himſelf bound as an honeſt man to ſay, that the influence of the crown had increaſed much beyond the ideas of a monarchy ſtrictly limited in its nature and extent.

He appealed to the feelings and experience of gentlemen who heard him, if the influence of the crown had not increaſed, and was not daily encreaſing, and whether it was not the duty of the Houſe to limit it? He profeſſed to be a friend to the legal and conſtitutional prerogatives of the crown, which he contended was the only legitimate influence it could have, or ought to exerciſe; and aſked the Houſe, whether it was not a very vain and idle thing to limit or mete out the prerogatives of the crown, while they permitted another, and much more alarming, becauſe a concealed influence, to operate in its ſtead.

He had, and ever would be, a true friend to conſtitutional prerogative, and maintain the perſonal political rights of the

Sovereign. He would be equally anxious to preſerve and protect the rights and privileges of the people; but whatever his reverence and attachment to his Sovereign might be, he would, before every other conſideration, prefer the intereſt of his country When the claims of both were properly attended to and underſtood, they ſubſtantially meant the ſame thing.

It might poſſibly be very galling to the committee to be informed of their duty by the petitioners, but they ſhould conſider that it was their own fault. He was ſorry, in one ſenſe, to behold thoſe petitions on the table, becauſe he thought the Houſe, conſcious of what ought to be done, ſhould have prevented the neceſſity. What the petitioners now demanded, ſhould have originated within theſe walls; and what now would bear every appearance of force and compulſion, would then have been received with gratitude on one ſide, and with credit to the other. They were then ſitting as the repreſentatives of the people, and ſolely for their advantage and benefit, and in duty ſtood pledged to the people, who were their creators, for the faithful diſcharge of their truſt.

His honourable friend's motion was, he preſumed, to be followed up by ſubſequent meaſures to be framed in the form of a bill or bills. What thoſe might be he was a total ſtranger to, not having any communication with his learned friend on the ſubject. He had every reaſon to ſuppoſe that they would be well ſuited to anſwer the deſigned purpoſe, and would anſwer every end which he propoſed.

Much ſtreſs had been laid by the noble Lord, on the ſuppoſition that the propoſition moved by his learned friend did not contain the ſenſe of the petitions. He was much ſurpriſed to hear the objection made; for, if he underſtood the purport of the petitions, the propoſition amounted to a moſt full and comprehenſive abſtract of them. The petitions ſtated the dangerous and encreaſing influence of the crown; they recommended a reduction of that influence; and an enquiry into and reduction of the civil liſt expenditure. What was this but an exact counterpart of the propoſition, expreſſed more at large and in detail? As to the influence complained of, it was ſeen and felt every where, within and without that Houſe; not now and then fluctuating and temporary, but fixed, uniform, and determined.

No man would ſay that the people of England, both in their conſtituent and collective capacity, had not a right to

petition

petition that Houſe; and were entitled to redreſs when they did it in a peaceable conſtitutional manner. The whole of what they ſought, as he obſerved before, was concentered in one focus, the propoſition now made by his honourable friend. Indeed the ground of the petitions, at leaſt the great principle maintained in them, had been clearly admitted, elſe why the various meaſures now in different ſtages of their progreſs through that Houſe? On the whole, the alternative ſtated by his learned friend was perfectly juſt and correct; the committee muſt agree with the reſolution now moved, or at once reject the petitions; if any there were who felt themſelves prepared for the latter part of the alternative, he wiſhed them much joy of going down to their conſtituents with that opinion; after having voted in that Houſe the allegations made by many thouſands of the people of England, to be falſe and ill-founded.

Mr. *Poulet* ſaid, he highly approved of the petitions in ſome particulars; among others, that part of them which recommended public œconomy. He thought a general reformation was much wanted; but he could not approve entirely of the honourable and learned gentleman's motion, becauſe he thought there was not ſufficient evidence before the committee for its coming to ſuch a reſolution. He was ſatisfied, at the ſame time, that the influence of the crown was greatly encreaſed. In ſuch a ſituation, therefore, as he ſtood, not regularly informed of the grounds of the fact which he was called upon to vote, and yet ſatisfied that the influence ſtated in the propoſition exiſted, he could neither give it an affirmative or a negative, and found himſelf conſequently under the neceſſity of quitting the Houſe without voting on either ſide.

The Lord *Advocate of Scotland* ſpoke very warmly againſt the motion. He ſeemed to ſpeak in a ſtrain of ſtrong irony, of the reſpect the opinion of the honourable and learned gentleman, who preſided in the chair of that Houſe, was entitled to upon all occaſions, particularly relative to matters of conſtitutional proof, or points known to him in the way of his profeſſion; but however great the learned gentleman's abilities were, or confeſſed to be, or extenſive his knowledge, he looked more to the matter than to the authority of the perſon who delivered it.

He contended, if ever there was an abſtract propoſition, the one moved now by the learned gentleman who opened the debate, was one; though the other learned gentleman,

upon what ground he could not tell, called it a matter of fact; and that the fact was denied, as it was in the preſent inſtance, was not proof neceſſary to the eſtabliſhing the fact ſo ſtated? If the propoſition conſiſted of aſſertions, having no reference to any thing already proved, nor connected with any intended meaſure, what could it be called but a mere naked, unconnected, abſtract propoſition? Idle and unneceſſary in itſelf, becauſe to be voted for no avowed purpoſe, at leaſt for no purpoſe ſpecifically avowed.

After having urged this argument in a variety of ſhapes, he then obſerved, that the preſent mode of carrying on the government of this country had continued the ſame exactly from the revolution downwards; and unleſs ſome proof were ſhewn that an influence, whatever that might be, exiſted at preſent, different from that which was ſuppoſed to exiſt in former times, the preſent vote would be replete with danger to the conſtitution, becauſe it would tend to alter the ſyſtem of government, which had been eſtabliſhed by our forefathers, and had been approved of and continued through ſeveral ſucceeding generations.

It would beſides appear, if the preſent reſolution be adopted by the majority of the Houſe, at leaſt to the people without doors, that the influence ſtated in the reſolution had originated under the preſent adminiſtration, and was daily increaſing under them, which implied a cenſure of a very ſevere nature, and called for very ſound and ſubſtantial proof to ſupport it; whereas if any ſuch influence exiſted at all, it exiſted before the preſent miniſters were born, and was ſupported by no argument even to diſtinguiſh the preſent adminiſtration from any other during the preſent reign. Conſequently, as no evidence whatever, more than the opinion of two ſpeculative writers, and ſome converſations held without doors by the honourable gentleman who framed the motion, ſtating that ſeveral gentlemen who voted with the miniſter in this Houſe held a contrary opinion out of it, as the queſtion was an abſtract queſtion, founded on no antecedent fact, nor pointing to no future ſpecific meaſure publicly avowed; or if not an abſtract queſtion, but a queſtion of fact, of which no proof had been given; and that ſuppoſing there had, that the concluſion drawn from the premiſes were neither connected with nor deducible from them: it was a propoſition to which he could never give his aſſent. He was perſuaded himſelf that it was unfounded; but as no proof had been adduced for or againſt it, he thought, according to the rule of parliamentary

proceeding,

proceeding, that it ought not to be reſolved one way or the other, but ſhould be poſtponed.

He and the learned gentleman on his ſide of the Houſe were called upon by the learned gentleman who moved it, to come forward and oppoſe it in a fair, direct, and manly manner; to give it a direct negative, or affirmative; perhaps if he were to follow his own ſentiments, he would have determined to do ſo; indeed he did not entertain a ſingle doubt himſelf on the ſubject; but as other gentlemen who diſapproved of the reſolution as much as he did, might think differently of the proper mode of diſpoſing of it, he thought it would be more proper to move the previous queſtion. He was not very converſant in the forms of the Houſe, but he underſtood ſo much, that it was not regular to move the previous queſtion in a committee. He would therefore move, "that the chairman do leave the chair, and report progreſs," [a prodigious loud laugh] "or that the chairman do report progreſs, and aſk leave to ſit again." [Another laugh.] Here he was whiſpered, and prompted by ſome of the gentlemen on the treaſury bench—"or that you do now leave the chair."

He was informed by Mr. T. Townſhend, and one or two members from the other ſide, that a motion having been made in the committee, no amendment could be moved on that motion; conſequently, that he muſt either agree with the reſolution, by putting a direct negative, or by moving "that the chairman do now leave the chair."—The Lord Advocate then moved, after having a ſecond time conſulted with Lord North, "that the chairman do leave the chair."

Mr. *Pitt* replied, and inſtanced the preſent poſſeſſion of office by the noble Lord in the blue ribbon, as an indubitable proof of the enormous influence of the crown. He aſked whether that noble Lord had not loſt America? Whether he had not ſpent millions of the public money, and waſted rivers of blood of the ſubjects of Great Britain? And yet, the noble Lord, now that the whole country with one voice cried out againſt, and execrated the American war, held his place. To what was this aſcribeable, but to the encreaſed influence of the Crown? The noble Lord had ſunk and degraded the honour of Great Britain; the name of an Engliſhman was now no longer a matter to be proud of; the time had been when it was the envy of all the world: it had been the key to univerſal reſpect, but the noble Lord had contrived to ſink it almoſt beneath contempt. He had rendered his countrymen and their country deſpicable in the eyes of every other

power.

power. He declared, the noble Lord would not have been ſo long at the head of adminiſtration, but for the efforts of the oppoſition: it was their regular conteſt againſt the fatal meaſures that had marked the noble Lord's adminiſtration, which had kept the noble Lord in office.

The whole buſineſs of the miniſter, for a ſeries of years, had been to make excuſes, and to deviſe expedients; to find ſupplies from year to year, without inventing any method in finance, any ſcheme of ſupply, comprehenſive or permanent. The people would bear taxes, though enormous, when they heard of victories and an extenſion of commerce and territory; but were apt to judge of miniſters, not from ingenious excuſes made for their conduct either by themſelves or others, but from the ſucceſs that followed their meaſures.

Mr. Pitt noticed the ſilence of miniſters on the preſent queſtion, and concluded with aſſerting, that the influence of the Crown was moſt offenſively encreaſed. The people of England, he ſaid, ſaw it, and were alarmed. They had expreſſed their ſenſe of it in their petitions, and begged that it might be diminiſhed. To comply with that requeſt, was the duty of that Houſe, and if ſomething effectual was not done upon the preſent occaſion, the conſequence that might follow, would probably be ſuch, as the bare thought of made him tremble at.

Lord *North* ſaid, he ſhould probably be thought inattentive to what became himſelf, and what was due to his own character, if he did not riſe and ſay ſomething in reply to the direct perſonal attack that had been made upon him, and he ſhould undoubtedly be deemed wanting in that reſpect, which he owed the committee, if he did not ſpeak to the preſent queſtion, and aſſign his reaſons for not riſing earlier in the courſe of the debate. As the motion had been made upon its own ſingle ground, and was, as his learned friend near him had deſcribed it, an abſtract propoſition, perfectly incluſive, and altogether unconſequential, he had ſat ſilent ſo long, in order to hear if any thing could be ſaid in ſupport of it, ſufficient to juſtify the committee in departing from the rule long ſince eſtabliſhed by the wiſdom of Parliament, never to vote abſtract propoſitions. In regard to what had been ſaid by the honourable gentleman who ſpoke laſt, relative to his conduct, he begged the committee to remember that he never had inſinuated, that his abilities were equal to his ſituation; he had always declared himſelf ready to retire, whenever his Sovereign and the public ſhould wiſh it: if, however, it was true, as the honourable gentleman had alledged, that he was

kept

kept in office by the efforts of oppoſition, he certainly could not but ſuppoſe he owed his continuance in place to the efforts of thoſe, who had formerly contended againſt the rights of the people of Great Britain, and who were now purſuing meaſures likely to overturn the conſtitution. [Called to order.] His Lordſhip avowed his words, and ſaid, am I to hear myſelf charged as the author of our preſent misfortunes? and—

[Many gentlemen cried acroſs the houſe, "You are, you are." Others called out, "take down the words,"] conſiderable confuſion enſued.

Sir *William Meredith* ſaid, that every man in that Houſe had a right to charge the noble Lord as the author of the American war, and all its conſequences. It was perfectly conſtitutional and parliamentary ſo to do. He told the committee that they could not then take down the words of the noble Lord.

Lord *North* went into an explanation of his meaning when he uſed the words which had occaſioned ſo much diſturbance, and declared he was very far from thinking himſelf indebted to oppoſition for their repeated efforts againſt him; therefore, if it was to be thrown out, that thoſe efforts had kept him in office, he thought he had a right to ſay, it was becauſe the people at large conſidered them as dangerous to their liberties, and dangerous to the conſtitution. With regard to the American war, and the various meaſures purſued relative to it, they were not his meaſures as a miniſter, they were all grounded on acts of the legiſlature; ſome of the bills had been propoſed by him, and ſome by others, to which he had given his conſent in common with the majority of the repreſentatives of the people. In propoſing and conſenting to thoſe bills, he had acted as a member of Parliament, and as ſuch only was reſponſible. His Lordſhip, after ſettling this point, proceeded to examine the doctrine laid down by Mr. Dunning in his opening ſpeech, as a proof of the prevailing influence of the Crown, and particularly anſwered the charges relative to the Eaſt-India Company, the new loan, and the cuſtoms. With reſpect to the firſt, he had repeatedly diſavowed having either acquired, or deſired to acquire, any patronage. The fact was ſo, but he was perfectly aware, that let him ſay what he would reſpecting it, gentlemen of the other ſide would not give him credit for his aſſertion. As to the new loan, his conſtant cuſtom was to take down the names of all who offered to ſubſcribe, and ultimately to make a fair diſtribution of the whole, allotting to each his proportion

tion as far as the ſum would go, without any other diſtinction, than that of giving the preference to thoſe, who were at all times moſt ready to aſſiſt government with their money, and this diſtinction he held to be fair and due to thoſe, in whoſe favour it was made. As to the cuſtoms, about which the honourable gentleman had ſaid ſo much, and had aſked whether our trade was increaſed, as new ſearchers had been appointed, he could only ſay, that if we were to judge by the buſineſs of the cuſtom-houſe, it was very greatly encreaſed. The new ſearchers had been appointed, not as the honourable gentleman had imagined, as a wanton inſtance of the power of influence, but on the repeated ſuggeſtion made to the treaſury-board by the commiſſioners appointed to ſuperintend the buſineſs of the cuſtoms, that more ſearchers were neceſſary, and that the duty of the cuſtom-houſe could not be conveniently carried on without an additional number. Having fully explained theſe matters, his Lordſhip ſhewed that many parliamentary meaſures were then in agitation, all of which were grounded on the petitions upon the table; he mentioned his own bill for a commiſſion of accounts; Mr. Burke's bill for reforming the civil eſtabliſhment; the contractors bill that had paſſed the Commons, and others; whence he argued, that precipitately to take further ſteps on the ground of the petitions was equally unneceſſary and improper.

Mr. *Pitt* replied, and ſaid, that when he had thrown out, that the noble Lord had been indebted to the efforts of thoſe gentlemen with whom he acted, for his long continuance in office, he thought he had ſpoken very intelligibly. That what he alluded to, was an idea which he really entertained, that if the noble Lord had purſued other and wiſer meaſures, he would not have been continued in place. The line followed by the noble Lord was, he was perfectly aware, the only line that could procure him favour in a certain quarter, and had he acted with a greater deference to the opinions of thoſe who had oppoſed him, which opinions had been as uniformly ſanctified by ſubſequent events, as the noble Lord's meaſures had failed of ſucceſs, he verily believed the noble Lord would long ſince have been obliged to retire. Mr. Pitt entered into a moſt ſevere animadverſion upon the whole conduct of adminiſtration for a ſeries of years paſt, mentioning the want of foreign alliances, the inſufficiency of naval ſtrength, &c. &c. and declaring, that the noble Lord's name was the ſubject of contempt and ridicule in every court in Europe.

General

General *Conway* denied that the Houſe had no right to vote abſtract propoſitions. He ſaid, they might vote them whenever they choſe it, and by an inſtance from the reign of King William, proved that they had voted them, and that, where the matter was immediately an abſtract propoſition, which he contended the preſent motion was not, becauſe it was to be found expreſsly ſtated in the petitions, and was confeſſedly deſigned to be the ground of other reſolutions, in compliance with the prayers of the people. The General gave it as his opinion, that the influence of the crown had encreaſed of late, and that to an alarming extent; he therefore ſhould vote for the motion.

Sir *Horace Mann* made a ſhort ſpeech in favour of the motion, declaring that though by his having propoſed the petition from the county of Kent, reprobating committees of aſſociation and correſpondence, it might be thought that he was not as ready to comply with the prayer of the petitions as others, no man in that Houſe thought thoſe petitions better founded, nor was more firmly convinced that the influence of the crown had encreaſed, and ought to be diminiſhed.

Governor *Pownall* ſaid, he had obſerved that the objections made to the propoſition, now offered to the conſideration of the committee, turned upon arguments drawn from the impropriety of the proceeding. Firſt, as the motion brought a mere abſtract propoſition forward, to be diſcuſſed by the committee; and ſecondly, as it was propoſed to come to a reſolution upon the matter, in order to report from that committee to the Houſe ſuch an abſtract propoſition, neither of which were agreeable to parliamentary debate, nor to the proceeding of the Houſe. Theſe objections were groundleſs, both in the reaſon and nature of the buſineſs, and in the actual matter of fact: in the firſt place, the propoſition was not an abſtract propoſition detached from matter and buſineſs.—It was drawn from the petitions, in every one of which it would be found, and was there in thoſe petitions of the people, as an allegation of fact, on which they grounded the prayer of their petitions. It was an allegation of the people of England, as to a fact which the honourable and learned gentleman had moved the committee, upon conſideration, to agree with the people in, as the ground to proceed, agreeable to their petitions, in the redreſs of grievances. That the thus drawing out from the petitions, the ſenſe of the petitioners, in order to make declaration of that ſenſe of the people to the Houſe, was ſo far from being contrary to the proceeding of

Par-

Parliament, that it was a proceeding conformable to a caſe directly in point to the minuteſt inſtance, as that caſe and proceedings ſtood in the journals of the Houſe.

There never was, he ſaid, but one period when there were ſo many petitions of this ſort preferred to the Houſe, as at preſent; that was now juſt one hundred and forty years ago. In the year 1640, there were petitions of this kind preferred in this manner to the Houſe. If inſtead, he ſaid, of ſuffering ourſelves to be told, that we are now going on contrary to the proceedings of the Houſe, we look to the precedent of that time, we ſhall find that the Houſe, on the 10th of November, appointed a committee "To draw out of the petitions preſented to the Houſe, ſome ſuch declaration as may be a fair repreſentation of the ſenſe of the petitioners." He ſpoke, he ſaid, from memory, he fancied pretty near the matter, and would not give the clerk the trouble to fetch the journal, nor to read it. Now, ſaid he, what the honourable and learned gentleman has done, is exactly and minutely conformable to this precedent. He has drawn his propoſition out of the petitions, and propoſed to the committee to come to a reſolution upon it, in order to report it to the Houſe for their concurrence with the ſenſe and allegations of the petitions of the people, to be there taken by the Houſe, as a proper ground for their proceedings.

He ventured, therefore, to aſſert, that the committee would hear no more of theſe objections, of the propoſition being a mere abſtract one; nor of the proceeding of the committee being contrary to the uſual mode of proceeding in Parliament.

The *Attorney General* oppoſed the motion; but with reſpect to his learned friend [the Lord Advocate] he did not underſtand what he meant, when he moved for the chairman to leave the chair, that the buſineſs ſhould not be reſumed at another opportunity. He believed his learned friend did not intend any ſuch thing as that of putting an end to the conſideration of the petitions, but that his motion was merely in the nature of a motion to poſtpone it.

Lord *Ongley* ſpoke in ſupport of the original motion.

Mr. *Turner* ſpoke to the ſame effect, a full juſtification of committees and aſſociations.

The *Lord Advocate* ſaid, he by no means wiſhed to put an end to the buſineſs; but would rather that it ſhould come

on

on again, at a future opportunity. He would therefore deſire to withdraw his motion for the chairman to leave the chair.

After ſome debate, leave was given accordingly; and the Lord Advocate then moved, by way of amendment to the main motion, that there ſhould be inſerted, after the word committee, "That it is neceſſary to declare." The main queſtion was thereupon thus, "That it is neceſſary to declare, that the influence of the crown has increaſed, is increaſing, and ought to be diminiſhed."

Mr. *Fox* ſaid, he could have no objection to this amendment; for if gentlemen ſhould think it neceſſary to declare it, they would not refuſe to ſay that the influence of the crown had increaſed, and ought to be diminiſhed. The honourable gentleman averred, that no former reign whatever had brought ſo many diſtreſſes upon the people as the preſent one; and inſiſted upon it, that unleſs the motion ſhould be agreed to, not only the committee, but the Houſe, ſhould never ſit again.

At twelve o'clock the committee divided. For Mr. Dunning's motion two hundred and thirty-three: againſt it two hundred and fifteen; majority 18.

Mr. *Dunning* made his next motion, which was, "That it is the opinion of this committee, that it is competent to this Houſe to examine into, and to correct abuſes in the expenditure of the civil liſt revenues, as well as in every other branch of the public revenue, whenever it ſhall ſeem expedient to the wiſdom of this Houſe ſo to do."

Mr. *Rigby* oppoſed the motion; ſaid it was one of the curioſities of the preſent age to ſee a miniſter in the minority. He ſaid he had intended to have made a motion, which was, "That it was unjuſt in Parliament to diminiſh the civil liſt revenue, without proof of ſome abuſe of it;" and this ſecond motion of Mr. Dunning's was not at all inconſiſtent with it.

Mr. *Burke* rallied Mr. Rigby a good deal upon his curioſity; he alſo thought the miniſter a curioſity, but he was more fit for the Britiſh Muſæum, than the Britiſh Houſe of Commons.

Lord *North* expreſſed his wiſhes very ſtrongly, that the committee would not go on.

Lord *George Gordon* ſpoke: after which the queſtion was called for, and the motion was agreed to without a diviſion.

Hon. *T. Pitt* made the third motion in the committee, which was, "That it is the opinion of this committee, that it is the duty of this Houſe to provide, as far as may be, an immediate and effectual redreſs of the abuſes complained of in the petitions preſented to this Houſe, from the different counties, cities, and towns in this kingdom."

Lord *North* again implored the Houſe not to proceed. No other objection being made to the motion, it paſſed unanimouſly.

It was then moved by Mr. Fox, for the ſaid reſolutions to be immediately reported to the Houſe, which was oppoſed by Lord North, as violent, arbitrary, and unuſual, but was, notwithſtanding, agreed to by the Houſe; and Mr. Huſſey reported accordingly, That the committee had come to the ſaid reſolutions ſeverally. It was then

Reſolved by the Houſe,

That this report be now received. The report was then made by Mr. Huſſey, and read and agreed to by the Houſe.

Mr. *Rigby* then moved for the Houſe to adjourn to tomorrow, but it was carried for the Houſe to adjourn to the 10th.

The Houſe ſat till half paſt one o'clock in the morning.

A LIST OF THE DIVISION.

For the Motion.

Lord Ongley	Bedfordſhire
Earl of Upper Oſſory	Ditto
Samuel Whitbread	Bedford
Sir William Wake	Ditto
John Elwes	Berkſhire
H. W. Hartley	Ditto
Fr. Anneſly	Reading
Hon. Auguſtus Keppel	Windſor
Hon. John Montagu	Ditto
Earl Verney	Buckinghamſhire
Thomas Grenville	Ditto
James Grenville	Buckingham
Robt. Waller	Wycombe

John

John Aubrey	Aylesbury
Sir J. Borlase Warren	Marlow
William Clayton	Ditto
William Drake, jun.	Ditto
William Drake	Agmondesham
Benjamin Keene	Cambridge
Richard Croftes	University
Sir Robert Cotton	Cheshire
J. Crewe	Ditto
Rd. Wil. Bootle	Chester
Sir W. Lemon	Cornwall
Edward Elliot	Ditto
Samuel Salt	Leskeard
George Boscawen	Truro
George Hunt	Bodmin
J. Amyand	Camelford
Philip Dehaney	St. Ives
Sir James Lowther	Cumberland
Henry Fletcher	Ditto
Walt. Spe. Stanhope	Carlisle
James Adair	Cockermouth
Lord George Cavendish	Derbyshire
Lord Frederick Cavendish	Derby
Dan. Parker Coke	Ditto
John Parker	Devonshire
J. W. Rolle	Ditto
Robert Palke	Ashburton
Lord Viscount Howe	Dartmouth
Richard Hopkins	Ditto
Humphrey Minchin	Oakhampton
Sir George Yonge	Honiton
J. E. Wilmot	Tiverton
Sir Philip Jennings Clerke	Totnes
James Amyatt	Ditto
Hon. Richard Fitzpatrick	Tavistock
Sir Charles Bampfylde	Exeter
Humphry Sturt	Dorsetshire
George Pitt	Ditto
Chasin Grove	Weymouth and Melcombe Regis
George Rous	Shaftesbury
Hans William Mortimer	Ditto
Joshua Mauger	Poole
Sir Thomas Clavering	Durham

John Tempeſt	Durham
John Lambton	Ditto
Sir George Savile	Ebor
Edwin Laſcelles	Ditto
Lord John Cavendiſh	York
Charles Turner	Ditto
William Baker	Aldborough
Sir James Pennyman	Beverley
G. F. Tuffnell	Ditto
Beilby Thompſon	Heyden
Hon. T. L. Watſon	Ditto
LordGeorgeHenryCavendiſh	Knareſborough
Savile Finch	Malton
William Weddell	Ditto
Daniel Laſcelles	Northallerton
Henry Pierſe	Ditto
William Norton	Richmond
Charles Dundaſs	Ditto
Charles Lawrence	Rippon
Earl Tyrconnel	Scarborough
Sir Thomas Frankland	Thirſk
Thomas Frankland	Ditto
David Hartley	Hull
John Luther	Eſſex
Sir William Guiſe	Glouceſterſhire
Sir William Cordington	Tewkeſbury
J. Martin	Ditto
Charles Barrow	Glouceſter
Sir George Cornewall	Herefordſhire
John Scudamore	Hereford
William Plumer	Hertfordſhire
Thomas Halley	Ditto
John Radcliffe	St. Albans
Earl Ludlow	Huntingdonſhire
Hon. Charles Marſham	Kent
Thomas Knight	Ditto
Robert Gregory	Rocheſter
Sir Horace Man	Maidſtone
Richard Milles	Canterbury
Thomas Stanley	Lancaſhire
Lord Richard Cavendiſh	Lancaſter
Sir George Warren	Ditto
General Burgoyne	Preſton
Sir William Meredith	Liverpool
Richard Penant	Ditto

Thomas

Thomas Lyſter	Clitherce
Sir John Palmer	Leiceſterſhire
J. P. Hungerford	Ditto
Hon. Booth Grey	Leiceſter
John Darker	Ditto
Sir John Thorold	Lincolnſhire
Charles Anderſon Pelham	Ditto
Lord Lumley	Lincoln
John Wilkes	Middleſex
Thomas Wood	Ditto
John Sawbridge	London
Frederick Bull	Ditto
George Hayley	Ditto
John Hanbury	Monmouthſhire
John Morgan	Ditto
Sir Edward Aſtley	Norfolk
Thomas Wenman Coke	Ditto
Hon. Thomas Walpole	Lynn
Chriſtp. Molineux	Ditto
Thomas Powes	Northamptonſhire
Lucy Knightly	Ditto
Richard Benyon	Peterborough
Sir George Robinſon	Northampton
Hon. Wilbraham Tollemache	Ditto
Fred. Montagu	Higham Ferrers
Sir William Middleton	Northumberland
Sir Matthew White Ridley	Newcaſtle
Sir John Trevelyan	Ditto
Jacob Wilkinſon	Berwick
Lord Edward Bentinck	Nottinghamſhire
Charles Meadows	Ditto
Sir William Howe	Nottingham
Sir Cecil Wray	E. Retford
Lord Viſcount Wenman	Oxon
Sir Roger Newdigate	Univerſity
Thomas Noel	Rutlandſhire
Noel Hill	Shropſhire
William Pulteney	Shrewſbury
John Corbet	Ditto
Hugh Pigot	Bridgenorth
Thomas Whitmore	Ditto
Sir H. Bridgeman	Wenlock
George Forreſter	Ditto
R. H. Coxe	Somerſetſhire
Edward Phillips	Ditto

Hon. Temple Luttrell	Milbourne Port
Clement Tudway	Wells
Robert Child	Ditto
Benjamin Allen	Bridgewater
Thomas Pownall	Minehead
Edmund Burke	Briſtol
Henry Cruger	Ditto
Alexander Popham	Taunton
Jervoiſe Clarke Jervoiſe	Hampſhire
Sir H. St. John	Ditto
Robert Kingſmill	Yarmouth
Edward Morant	Lymington
Sir J. G. Griffin	Andover
Benjamin Lethieullier	Ditto
Lord Middleton	Whitchurch
Right Hon. Tho Townſhend	Ditto
Sir Abraham Hume	Petersfield
Lord Irnham	Stockbridge
Hon. James Luttrell	Ditto
J. Fleming	Southampton
Sir John Wrotteſley	Staffordſhire
Hugo Meynell	Stafford
George Anſon	Litchfield
Sir Ger. Vanneck	Dunwich
T. Staunton	Ipſwich
Sir Patrick Blake	Sudbury
Right Hon. H. S. Conway	Bury
Sir Charles Davers	Ditto
Sir Joſeph Mawbey	Surrey
James Scawen	Ditto
Sir Robert Clayton	Bletchingly
The Speaker	Guildford
Nat. Polhill	Southwark
Lord George Lennox	Suſſex
Sir Henry Gough	Bramber
Thomas Thoroton	Ditto
Charles Goring	Shoreham
Thomas Edwards Freeman	Steyning
Filmer Honeywood	Ditto
Sir Thomas Miller	Lewes
Thomas Hay	Dito
Hon. W. Keppel	Chicheſter
G. L. Newenham	Arundel
Sir Thomas Skipwith	Warwickſhire
Sir Michael le Fleming	Weſtmoreland

James Lowther	Westmoreland
Philip Honywood	Appleby
Hon. Edward Foley	Worceſterſhire
Sir John Ruſhout	Eveſham
Hon. Andrew Foley	Droitwich
Edward Winnington	Ditto
J. Walſh	Worceſter
Thomas Bates Rous	Ditto
Charles Penruddock	Wiltſhire
Ambroſe Goddard	Ditto
Rt. Hon. Iſaac Barré	Calne
John Dunning	Ditto
Samuel Marſh	Chippenham
Hon. Charles Fox	Malmſbury
J. Dawkins	Hindon
Thomas Pitt	Old Sarum
Pinkney Wilkinſon	Ditto
William A'Court Aſhe	Heyteſbury
Samuel Eſtwick	Weſtbury
Robert Scott	Wotton Baſſet
Lord George Gordon	Luggerſhall
John Trevannion	Dover
Charles Brett	Sandwich
William Nedham	Winchelſea
Wales.	
Lord Bulkeley	Angleſea
Sir Hugh Williams	Beaumaris
Charles Morgan	Breconſhire
Aſhton Smith	Carnarvonſhire
Glynn Wynne	Carnarvon
Sir Watkin Williams Wynne	Denbighſhire
Sir Roger Moſtyn	Flintſhire
Wat. Williams	Flint
E. L. Vaughan	Merionethſhire
George Venables Vernon	Glamorganſhire
Sir Herb. Mackworth	Cardiff
Hugh Owen	Pembrokeſhire
Hugh Owen	Pembroke
Scotland.	
George Dempſter	St. Andrew's
Sir Lawrence Dundas	Edinburgh
John Johnſtone.	Kinghorne, &c.
Sir Gilbert Elliot	Roxburghſhire
Thomas Dundas	Sterlingſhire
233. Teller, George Byng	Wigan

Againſt

Againſt the Motion.

J. Dodd	Reading
John Mayor	Abingdon
Sir Robert Barker	Wallingford
J. Cater	Ditto
Ant. Bacon	Ayleſbury
Hen. Drummond	Wendover
Thomas Dummer	Ditto
Sir Sampſon Gideon	Cambridgeſhire
J. Buller	Launceſton
Edw. Gibbon	Leſkeard
Thomas Potter	Leſtwitheil
Bamber Gaſcoyne	Truro
Sir James Laroche	Bodmin
F. C. Cuſt	Helſton
Hen. Strachey	Saltaſh
John Buller	Eaſtloo
William Greaves	Ditto
Sir William James	Weſtloo
J. Rogers	Ditto
Rd. Alworth Neville	Grampound
Sir Ralph Payne	Camelford
Sir George Oſborne	Penryn
William Chaytor	Ditto
Lord Newborough	St. Ives
Lord Shuldham	Fowey
Benjamin Langlois	St. Germain's
James Peachy	Ditto
Francis Hale	St. Mitchel,
John Stevenſon	Ditto
Richard Bull	Newport
John Frederick	Ditto
Earl Nugent	St. Maws
Hugh Boſcawen	Ditto
William Skrine	Callington
George Stratton	Ditto
Anthony Storer	Carliſle
Charles Boone	Ashburton
Richard Vernon	Oaxhampton
Lord Vis. Lewiſham	Plymouth
Sir Charles Hardy	Ditto
Sir H. F. Drake	Beeralſton
J. Durand	Plympton
William Fullarton	Ditto

Right

Right Hon. Richard Rigby	Taviſtock
William Devaynes	Exeter
William Ewer	Dorcheſter
Hon. Henry Fane	Lyme
Right Hon. Welbore Ellis	Weymouth and Melcome Regis
Gabriel Stewart	Ditto
John Purling	Ditto
Chriſtopher D'Oyley	Wareham
John Jenkinſon	Corfe Caſtle
John Bond	Ditto
Hon. William Hanger	Aldborough
Charles Melliſh	Pomfret
Lord Robert Manners	Hull
Hon. Rich. Savage Naſſau	Malden
J. Strutt	Ditto
Hon. Geo. Aug. North	Harwich
T. B. Cheſter	Glouceſterſhire
J. Whitſhed	Cirenceſter
Samuel Blackwell	Ditto
G. Aug. Selwyn	Glouceſter
Right Hon. Thomas Harley	Herefordſhire
Sir R. Symonds	Hereford
Lord Viſcount Bateman	Leominſter
Frederick Cornewall	Ditto
John St. Leger Douglas	Weobly
——— Bayntun	Ditto
Sir Richard Sutton	St. Alban's
John Calvert	Hertford
Lord Hinchinbroke	Huntingdonſhire
Sir George Wombwell	Huntingdon
Finch Hatton	Rocheſter
Sir Charles Frederick	Queenborough
Sir William Rawlinſon	Ditto
Hon. Charles Finch	Maidſtone
Lord Newhaven	Canterbury
Sir Thomas Egerton	Lancaſhire
Aſhton Curzon	Clitheroe
Sir George Howard, K. B.	Stamford
Henry Cecil	Ditto
Peregrine Cuſt	Grantham
Robert Vyner	Lincoln
Lord Malden	Weſtminſter

Sir T. Stepney	Monmouth
Hon. Charles Fitzroy	Thetford
Robert Mackreth	Caſtle Riſing
John Chet. Talbot	Ditto.
Edward Bacon	Norwich
Matthew Wildbore	Peterborough
Timothy Caſwall	Brackley
William Egerton	Ditto
Peter Delme	Morpeth
J. W. Egerton	Ditto
Lord J. P. Clinton	E. Retford
Lord Charles Spencer	Oxon
Francis Page	Univerſity
Lord Robert Spencer	Oxford
William Eden	Woodſtock
Lord Parker	Ditto
Lord North	Banbury
Charles Baldwin	Shropſhire
Lord Clive	Ludlow
Alexander Wedderburne	Biſhop's Caſtle
William Clive	Ditto
O. S. Brereton	Ivelcheſter
Nathaniel Webb	Ditto
Charley Wolſeley	Milbourne Port
Hon. Ann Poulet	Bridgewater
John Sebright	Bath
Henry Fownes Luttrell	Minehead
Henry Penton	Wincheſter
Lovell Stanhope	Ditto
General Monckton	Portſmouth
Sir William Gordon	Ditto
Sir Richard Worſley	Newport
Hans Sloane	Ditto
Charles Ambler	Newton
Edward Maux Worſley	Ditto
James Worſley	Yarmouth
James Harris	Chriſtchurch
J. Fuller	Southampton
Sir William Bagot	Staffordſhire
Richard Whitworth	Stafford
Thomas De Grey	Tamworth
Anthony Chamier	Ditto
Lord Trentham	Newcaſtle

Thomas

Thomas Gilbert	Litchfield
Rowland Holt	Suffolk
Barne Barne	Dunwich
Lord Beauchamp	Orford
Hon. Robt. Conway	Ditto
Richard Combe	Aldborough
Martin Fonnereau	Ditto
R. B. Phillipſon	Eye
Hon. J. St. John	Ditto
William Adam	Gatton
Robert Mayne	Ditto
Peter Burrell	Haſlemere
Sir Charles Cocks	Ryegate
George Onſlow	Guilford
James Wallace	Horſham
John Ord	Midhurſt
Hon. Hen. Seymour Conway	Ditto
Lord George Germain	Grinſted
Hon. Charles Greville	Warwick
Hon. Robt. Greville	Ditto
J. B. Holroyd	Coventry
Lord Weſtcote	Bewdley
James Sutton	Devizes
Hon. J. Brudenell and Sir J. Long	Marlborough
Sir Ed. Bayntum	Chippenham
William Strahan	Malmſbury
J. Dewar	Cricklade
J. Macpherſon	Ditto
Archibald Macdonald	Hindon
Hon. W. Gordon	Heyteſbury
Hon. T. Wenman	Weſtbury
Hon. Henry St. John	Wotton Baſſet
Lord Melborne	Luggerſhall
Charles Herbert	Wilton
Sir Philip Hales	Downton
Robert Shaftoe	Ditto
Lord Cranborne	Bedwin
Cinque Ports.	
John Hennicker	Dover
Rt. Hon. Charles Jenkinſon	Haſtings
Lord Viſc. Palmerſtone	Ditto
Sir Charles Farnaby	Hithe
William Evelyn	Ditto

Sir

Sir Edward Dering	Romney
Richard Jackſon	Ditto
Hon. Tho. Onſlow	Rye
Wm. Dickenſon	Ditto
Philip Stephens	Sandwich
Lord Viſ. Gage	Seaford
George Medley	Ditto
Charles Wolfran Cornwall	Winchelſea

Wales.

Sir Charles Gould	Brecon
Lord Liſburne	Cardiganſhire
Thomas Johnes, junior	Cardigan
John Vaughan	Carmarthenſhire
John Adams	Carmarthen
Whitſhed Keene	Montgomery
Lord Kenſington	Haverfordweſt
Thomas Johnes, ſenior	Radnorſhire
Edward Lewis	Radnor

Scotland.

Sir Ad. Ferguſſon	Airſhire
Adam Livingſtone	Argyleſhire
Sir J. Patterſon	Berwickſhire
Adam Drummond	Brechin, &c.
Sir Archibald Edmonſtone	Dunbartonſhire
Sir Robt. Laurie	Dumfriesſhire
Henry Dundas	Edinburgſhire
Francis Charteris	Dunbar
Lord William Gordon	Elginſhire
Staates Long Morris	Elgin
R. Henderſon	Fifeſhire
Earl of Panmure	Forfarſhire
William Niſbett	Haddingtonſhire
Lord Adam Gordon	Kincardenſhire
William Stewart	Kircudbright
Andrew Stewart	Lanerkſhire
Sir W. Aug. Cunninghame	Linlithgowſhire
John Campbell	Nairnſhire
Sir James Cockburne	Peebles, &c.
Hon. James Murray	Perthſhire
Hon. J. S. M'Kenzie	Roſsſhire
Hon. Fred. Stuart	Rothſay
J. Craufurd	Renfrewſhire
Lord Fred. Campbell	Glaſgow, &c.
Hon. James Wemys	Sutherlandſhire

J. Grant

J. Grant	Tayn, &c.
Sir H. W. Daſhwood	Wigtown
Teller, John Robinſon,	Harwich.

April 10.

Mr. *Hartley* gave notice that on Tueſday next he ſhould bring forward his propoſitions reſpecting the ſtate of the war; that he had thought it a motion proper to make, but, from information he had lately received, it was now abſolutely neceſſary. As a motion, it not only concerned the well-being, but the very being of this country.

Governor *Pownall* called upon him, and begged, that if his motion was of the importance he ſaid it was, he would be explicit, and ſay what it was; that he would not bring matters of ſuch importance ſuddenly upon the Houſe, and gentlemen unprepared to give it a due conſideration. He did not ſpeak for himſelf; for that the honourable gentleman could bring no matter forward in which he did not conceive himſelf fully prepared; but that he ſpoke for the reſt of the Houſe, who might not have had the ſame opportunity that he had.

General *Conway* alſo called upon him to ſay what his motion was, and whether he meant that part of the war reſpecting America? That this country was brought into ſuch difficulties and perplexities by that war, that he did not ſee how it was poſſible to extricate ourſelves, unleſs ſome meaſures were taken that ſhould firſt put an end to that war, and therefore he hoped that the matter might not be delayed till Tueſday, but that it might come on the firſt open day.

Mr. *Hartley* explained that the principal part of his propoſitions did reſpect the American war, and the conſideration of ſuch means as might lead to Peace, but at preſent did not chuſe to open what the purport of them were.

Governor *Pownall* replied, that he did not mean to interfere with the honourable gentleman, or to take any thing out of his hand; but that if he did not preciſely and directly make ſome propoſitions that ſhould lead to peace with America, he took that opportunity to give notice that he would propoſe to the Houſe ſome matters that might become preliminaries whereon to ground a negociation of peace; and that he would propoſe nothing which he would not undertake to execute.

Sir *Philip Jennings Clerke* moved, "that there ſhould be laid before the Houſe a complete return of the army, made up to the laſt month."

A debate being likely to take place upon this motion, Mr. *Byng*, though he had no kind of objection to it, repreſented

ſented the more important buſineſs there was before the Houſe, meaning the adjourned conſideration of the petitions on their table, and therefore ſubmitted it to the judgement of the honourable member, whether it would not be better to defer the buſineſs he had entered upon, and wait a more convenient opportunity for introducing it.

The *Secretary at War* ſaid, he could not by any means conſent to the motion, as an account of the army being laid before the Houſe, and therefore made public, could tend only to inform our enemy of the military ſtrength of this country; the queſtion had, he ſaid, been frequently made, and as frequently rejected, as extremely improper and injudicious.

Mr. *Byng* propoſed to get rid of it by moving the order of the day.

Lord *North* objected to this, conſidering it to be of the nature of a previous queſtion, and that the Houſe would, ſhould it be negatived, be obliged to return again to the motion for a liſt of the army. His Lordſhip pronounced it highly improper to agree with the requiſition contained in the queſtion, and was of opinion, that as it muſt be contrary to the ſenſe of the Houſe, the ſooner it ſhould be decided upon, the better it would be.

Sir *Philip Jennings Clerke* obſerved, that he did not wiſh by any means to obſtruct the order of the day, and would very readily withdraw the motion he had made, if the noble Lord, or Secretary at War, would promiſe to the Houſe, that the expence of the army ſhould not exceed the money voted for that particular ſervice.

The *Secretary at War* gave the Houſe to underſtand, that as far as his knowledge went, the charge of the army would not be more than the amount of the money ordered for it. The converſation was therefore given up by both ſides of the Houſe.

Sir *William Meredith* then called the attention of the Houſe to an event for which he hoped there was no foundation in fact; he hoped it was an idle, vague, and groundleſs ſtory, fabricated to injure government, and therefore he wiſhed to hear a full and flat contradiction to it from the great officers in the war department. The report was, that upon the aſſembling of the citizens of Weſtminſter, orders had been iſſued to double the King's guard, and furniſh them with ſix rounds of powder and ball; and that a great quantity of ammunition was ſent to the guard rooms; that the third regiment of guards was muſtered at the barracks, provided

vided likewiſe with ſix rounds of powder and ball, and kept under arms till late at night, and that they were told they muſt go to the Parliament Houſe.

Sir William wiſhed to know if ſuch orders were given, what grounds there were for poſſeſſing the King's mind with fears and apprehenſions from the mere circumſtance of citizens aſſembling in a legal manner, and for a conſtitutional purpoſe; and whether it might not be expected, that if the citizens were to meet again, they would not, in turn, come prepared with neceſſary arms for their defence, now they knew that the third regiment of guards was to be drawn out againſt them.

Mr. *Jenkinſon* denied that any order went from his office, either for doubling the guard, or calling out the third regiment; but that if any civil magiſtrate had ſuggeſted to the King's Miniſters the danger or apprehenſion of a riot, he thought the orders very proper.

Sir *Richard Wrotteſley* denied that any ſuch orders had been given; and Sir George Oſborne ſaid that no unuſual orders had been given.

Mr. *Dunning* took up the matter with great warmth, and obſerved, that the manner in which Mr. Jenkinſon had denied that the orders went from his office, but not denying that ſuch orders actually went, at the ſame time juſtifying the orders, if given, convinced him, that ſuch orders did really iſſue from ſome other office; that he wiſhed to bring that miniſter to light who filled the King's mind with an apprehenſion of danger from an aſſembly of loyal and free citizens, who in expreſſing their zeal for defending the liberties of Engliſhmen, thought they were manifeſting in the beſt manner poſſible their duty to their ſovereign.

Sir *John Griffin* defended the horſe guards, but Sir William Meredith aſſured him they were not included in the orders.

The order of the day was then called for, and at ſix o'clock the Houſe reſolved itſelf into a committee, Mr. Huſſey in the chair, for the further conſideration of the petitions on the table.

Mr. *Dnnning* moved, "That it is the opinion of this committee, that, in order to ſecure the independence of Parliament, and obviate all ſuſpicions of its purity, that within ſeven days after the meeting of Parliament, every ſeſſion, there be laid before this Houſe, by the proper officer, an account of all monies paid out of the civil liſt, or any part of the public revenue to or for the uſe, or in truſt for any mem-

ber of Parliament ſince the laſt receſs, by every perſon who ſhall have paid the ſame."

Mr. *Dunning* after ſaying however clear the Houſe might be as to the reality of the charge, there was out of doors a ſuſpicion and an imputation brought actually home to the Houſe of groſs and corrupt venality ariſing from the undue influence of the crown within thoſe walls. It became neceſſary for the Houſe to purge itſelf from ſuch ſuſpicions, which could only be proved by its being publicly known what money did find its way into the pockets of members of Parliament, and in what manner it came there. If no one had a ſhilling of the public money in his pocket which he was not able to explain, no difficulty could be made in acceding to his motions. If there were any ſuch, his motion would diſtinguiſh them.

Lord *North* ſaid he ſhould not oppoſe the motion, but doubted whether the Lords might approve of it, as Commons coming to reſolutions, which, in fact, were teſts for them, might create ſome diſagreements between the two Houſes.

Mr. *Dunning* replied.

Mr. Cornewall, Mr. Wedderburne, and Mr. Welbore Ellis, ſpoke to the ſame purpoſe as Lord North, and hinted at ſome difficulties in underſtanding the purport of the motion, and carrying it into execution.

However no other objections being made, the motion paſſed unanimouſly.

Mr. *Dunning* now moved, "That it is the opinion of this committee, that the perſons holding the offices of treaſurer of the chamber, the treaſurer of the houſehold, the cofferer of the houſehold, the comptroller of the houſehold, the maſter of the houſehold, the clerks of the green cloth, and the deputies of them, be rendered incompatible with a ſeat in this Houſe.

He recapitulated what the Houſe had already done, as the ground for what he had to propoſe, and what the Houſe had done reſpecting Mr. Burke's bill; and took notice, that when it was propoſed by a clauſe in that bill, to aboliſh certain offices in the houſehold, the Houſe had rejected that propoſition, for reaſons, which, not being preſent, he had not heard; and if they were what he had read, they were the worſt he ever met with. However, that having been decided, the next beſt thing was, and it was conſonant to the ſenſe of the people in their petitions, to take care that the undue influence of the crown ſhould no longer operate in that

that Houſe by means of thoſe places, and, therefore, that the motion he ſhould make was, that the holding of any of thoſe places, and a ſeat in Parliament at the ſame time, ſhould be rendered incompatible. He was ſenſible, it would be aſked, why he fixed upon thoſe places alone, and did not go further? His anſwer was, that he did not mean to go further. But that he had fixed upon thoſe particular places for his preſent motion, from the particular predicament in which they ſtood; and that if any other places in the ſame bill ſhould be found in the ſame predicament, he ſhould make the like motion upon them. It might likewiſe be aſked, why he did not bring in a bill? His anſwer was, that he thought it the faireſt way to conſider the propoſition firſt, and if it was agreed to, he ſhould then bring in a bill.

The Lord *Advocate* ſpoke next. His principal argument was to diſtinguiſh the difference between Mr. Burke, who was for aboliſhing the places, and Mr. Dunning, who was only for incapacitating them from ſitting in Parliament, but whether they agreed or not, he ſhould give a direct negative to the motion, as it contained a propoſition to alter the conſtitution.

Mr. *Burke* defended his conduct in his procedure on his bill; ſaid that he maintained his firſt opinion, and was convinced it was the beſt thing that could be done. He juſtified himſelf againſt various reports that had gone out againſt him; and then ſaid, if he could not have the beſt thing, he would take the next beſt, and ſhould moſt cordially ſupport the propoſition of his honourable, learned, and reſpected friend.

Mr. *Wedderburne* affected to approve Mr. Burke's bill, againſt which he voted, rather than the propoſition of the learned gentleman, and ran a long compariſon between them, not only to ſhew how they diſagreed, but to make them diſcredit each other; ſaid that this disfranchiſing any perſons holding ſuch offices was a violent alteration of the conſtitution, both as it reſpected the perſons who might properly hold thoſe places, and as it reſpected the conſtitutional influence of the crown, as one branch of the legiſlature ought to have upon the other two branches, in like manner as they ought to have upon each other; for that mutual influence was the chain by which they were linked, each to the other, and all to all.

Mr. *Pitt* anſwered the ſeveral objections that had been made, and ſtated his opinion of the propriety of diminiſhing the influence of the crown in this inſtance, and ſaid if that

Houſe

Houſe could be made virtuous, he ſhould care very little about the other Houſe.

Mr. *Dunning* replied, by a recapitulation of the arguments which he had uſed before, and reminded the gentlemen who had made their objections, without attending to thoſe arguments, they might have prevented him from obtruding himſelf upon the Houſe.

Upon this the queſtion was called for, the Ayes were 215, Noes 213.

April 11.

Mr. *Gregory* brought in a petition from 2900 perſons, inhabitants of Rocheſter, praying that leave might be given to bring in a bill for the repeal of the act paſſed a ſeſſions or two ſince in favour of the Roman Catholics.

The petition was preſented, and after being read, upon motion made, that it lie on the table,

Lord *George Gordon* roſe, and in a ſpeech of ſome length expreſſed his ſatisfaction at ſeeing the preſent petition brought in. His Lordſhip expatiated on the neceſſity of that Houſe taking as active a part relative to the religious eſtabliſhment, as they were taking from day to day in political affairs. He lamented, that although there were two churches and one cathedral at Rocheſter, there were few of the clergy who had ſigned the petition; it was their peculiar province, he ſaid, to guard againſt the inroads of Popery, which was making haſty ſtrides to re-eſtabliſh itſelf generally throughout the kingdom, and threatened extirpation to Proteſtantiſm. He begged leave to read a memorial or reſolution, deſcriptive of Popery, and all its horrid conſequences, which was drawn up in Ireland in the year 1626, and ſigned by the Archbiſhop of Armagh, and the other prelates of the Proteſtant church in that kingdom. As it was but ſhort, he begged the Houſe would give him their attention. Having finiſhed reading, he ſaid, our biſhops ought to come to a ſimilar reſolution, but the time-ſerving prieſts, the popiſh epiſcopalians of the other Houſe, were more intent on other objects, and objects leſs worthy the attention of Chriſtian prelates. He ran into a ſtrain of vehement attack on thoſe in power, for not doing their duty in religious matters.

Mr. *Turner* ſaid, he could not ſit ſtill and hear the noble Lord run on at that rate. The noble Lord, he ſaid, was perpetually interrupting buſineſs, and introducing matters directly perſonal. The noble Lord had got a twiſt in his head, a certain whirligig which ran away with him, if any thing

thing relative to religion was mentioned, and made him expoſe himſelf perpetually. He declared, he ſaid this, out of friendſhip and reſpect to the noble Lord. He wiſhed the noble Lord well; the noble Lord was a ſtaunch whig, an enemy to the American war, and a friend to the liberties of the people; he could not bear, therefore, to ſee the noble Lord render himſelf a laughing ſtock, and become the make-game of the whole Houſe. He reſpected the noble Lord, and the Houſe ought to reſpect him on account of his noble family. Mr. Turner having ſaid this, went into an argument, to prove that religious jealouſies were equally illiberal and unjuſt. That a Proteſtant would not plough the ground better than a Papiſt, nor a Papiſt better than a Proteſtant, and as long as the Roman Catholicks demeaned themſelves decently, and conformed to the laws of the country, they had a right to expect and to receive every poſſible indulgence.

Lord *George Gordon* roſe again, and in order to elucidate his former argument, pulled out an Iriſh newſpaper, and read two extracts from Father O'Lary's letter, againſt the principles of Weſley; he afterwards read ſome paſſages from Weſley's reply, and contended that another maſſacre of the Proteſtants, like to that in Ireland, was to be dreaded, if ſomething was not done conformable to the wiſhes of thoſe of the eſtabliſhed church. He ſaid ſuch as came up to him as a member of Parliament, had told him, that they already conſidered themſelves abſolved from their allegiance to his Majeſty. They had not yet determined to murder the King and put him to death; they only conſidered that they were abſolved from their allegiance. He declared the Lord Advocate knew very well what was the opinion of the people in Scotland reſpecting Popery, and that what he had now ſaid, he had not thrown out as any idle threat; he meant to put miniſters on their guard, to warn them to do what was right in time. For this purpoſe he had been twice to court to tell his Majeſty what he knew upon the ſubject, and now roſe to tell it miniſters.

Mr. *Gregory* declared, that to his knowledge thoſe who had ſubſcribed the petition which had been juſt read, were not of ſuch ſentiments as the noble Lord had deſcribed. They were firm in their loyalty, as good and as peaceably inclined as any of his Majeſty's ſubjects, and ſo high was their love and zeal for their prince, that there was not one of them who

would not willingly lay down his life and fortune in his ſervice.

The petition was ordered to lie on the table.

Mr. *Burke* called the attention of the Houſe to a very particular matter. He ſaid, they ſat there to make laws for the ſubject; that the laws which chiefly came under their conſideration were laws of civil polity, but thoſe which moſt claimed their attention and care were the criminal laws. The firſt only regarded mens' property, criminal laws affected men's lives, a conſideration infinitely ſuperior to the former! In making criminal laws, it behoved them materially to conſider how they proceeded, to take care wiſely and nicely to proportion the puniſhment ſo that it ſhould not exceed the extent of the crime, and to provide that it ſhould be of that kind, which was more calculated to operate as an example and prevent crimes, than to oppreſs and torment the convicted criminal. If this was not properly attended to in the criminal laws which paſſed that Houſe, they forced his Majeſty to violate his coronation oath and commit perjury, becauſe his Majeſty, when he was crowned, and was inveſted with the executive government, had ſolemnly ſworn to temper mercy with juſtice, which it was almoſt impoſſible for him to do if that Houſe ſuffered any penal laws to paſs on principles repugnant to this idea, and in which juſtice, rigid juſtice was ſolely attended to, and all ſight of mercy loſt, and foregone. He ſaid, the matter which had induced him to make theſe reflections, was the peruſal of a melancholy circumſtance ſtated in the newſpapers of that morning. He hoped to God the fact was mis-ſtated, and that the whole relation had no foundation in truth. It had, however, made a very ſtrong impreſſion on his mind, and he conceived it of a nature ſufficiently intereſting to merit the notice and attention of that Houſe, becauſe if it ſhould turn out to be true, he thought it would be incumbent on that Houſe to take ſome meaſure in conſequence of it. The relation he alluded to, was that of the unhappy and horrid murder of a poor wretch, condemned to ſtand in the pillory the preceding day. The account ſtated that two men had been doomed to this puniſhment; that one of them being ſhort of ſtature, and remarkably ſhort-necked, he could not reach the hole made for the admiſſion of the head, in the aukward and ugly inſtrument uſed in this mode of puniſhment; that the officers of juſtice, nevertheleſs, forced his head through the hole, and the poor wretch hung rather than walked as the pillory turned

turned round; that previous to his being put in, he had deprecated the vengeance of the mob, and begged that mercy, which from their exaſperation at his crime, and their want of conſidering the conſequences of their cruelty, they ſeemed very little to beſtow. That he ſoon grew black in the face, and the blood forced itſelf out of his noſtrils, his eyes, and his ears. That the mob, nevertheleſs, attacked him and his fellow criminal with great fury. That the officers ſeeing his ſituation, opened the pillory, and the poor wretch fell down dead on the ſtand of the inſtrument. The other man, he underſtood, was likewiſe ſo maimed and hurt by what had been thrown at him, that he lay now without hope of recovery.

Having ſtated this to the Houſe, Mr. Burke proceeded to remark, that the puniſhment of the pillory had always ſtruck him as a puniſhment of ſhame rather than of perſonal ſeverity. In the preſent inſtance it had been rendered an inſtrument of death, and that of the worſt kind, a death of torment. The crime for which the poor wretches had been condemned, was ſuch as could ſcarcely be mentioned, much leſs defended or extenuated. The commiſſion of Sodomitical practices! A crime of all others the moſt deteſtable, becauſe it tended to vitiate the morals of the whole community, and to defeat the firſt and chief end of ſociety. Sodomitical practices was however of all other crimes a crime of the moſt equivocal nature, and the moſt difficult to prove. When criminals convicted of ſodomitical practices were ſentenced to the pillory, they were adjudged that puniſhment with a view to expoſe them to public reproach and contempt, not to popular fury, aſſault and cruelty. To condemn to the pillory with any ſuch ideas, would be to make it a capital puniſhment, and as much more ſevere than execution at Tyburn, as to die in torment, was more dreadful than momentary death, almoſt without ſenſation of pain. He ſubmitted it, therefore to the conſideration of the Houſe, whether, if the facts turned out as they were ſtated in the newſpapers, and as he had reported them to the Houſe, on newſpaper authority, it would not be right to aboliſh the puniſhment of the pillory ſince it was liable to ſuch violent perverſion, as to be rendered not the inſtrument of reproach and ſhame, but of death and murder. If no man would take the matter in hand, he would bring in a bill for this purpoſe; he ſaw, however, a learned and reſpectable gentleman in the Houſe, from whoſe high character and diſ-

tinguiſhed place, it was fair to infer that the matter would be much better lodged in his hands, and would be more properly conducted than it could be by him. He hoped that learned and reſpectable gentlemen would take it up, and he hoped likewiſe that the Houſe, if the facts ſhould turn out to be true, and the poor wretch to have been murdered, as he had mentioned, would direct the learned gentleman to proceed againſt thoſe to whoſe neglect, or to whoſe cruelty, the murder was aſcribeable.

The *Attorney General* complimented Mr. Burke on his having ſtated the matter to the Houſe with thoſe ſtriking features of humanity which diſtinguiſhed and characterized his conduct on every occaſion; he ſaid, moſt certainly a tale of ſo extraordinary a nature merited the attention of that Houſe in general, and his attention in particular. He ſhould do the honourable gentleman the juſtice to pay immediate regard to what he had ſaid, and though he had the utmoſt reſpect for the Houſe, and ſhould on every occaſion moſt readily pay obedience to its commands, it did not ſtrike his mind that their interference was neceſſary on the preſent occaſion. If the facts were as the honourable gentleman had ſtated them to be, the matter immediately called for legal enquiry, in order to lead to a conviction and puniſhment of thoſe who were guilty, and had been acceſſary to the murder. The judges who ſentenced the men to the pillory, were clearly innocent of the guilt of their deaths, becauſe, undoubtedly, they had done no more in condemning them to that puniſhment, than they were obliged to do by the laws now in being, and could have no idea that they were ſentencing the criminals to a puniſhment that would affect their lives. There were two deſcriptions of perſons, who were the objects of puniſhment in the preſent caſe, thoſe who by neglect of duty had ſuffered the criminal to be murdered, and ſuch of the mob as were moſt immediately concerned in the murder, if they could be come at. It was unqueſtionably proper that offenders, guilty of ſuch an atrocious crime, ſhould be convinced that what they had done was within the reach of the laws of the country, and that no men, however they might be miſled by ill-judged indignation, would be ſuffered to commit ſuch enormities with impunity. In doing this, however, proper care muſt be taken that in endeavouring to anſwer the ends of juſtice, injuſtice was not committed. It certainly was neceſſary for the officers, appointed to put the ſentence of the law in execution upon criminals, to

do

do their duty with a certain degree of ſpirit. He ſhould therefore firſt inſtitute an enquiry in order to ſubſtantiate the facts, and then proceed regularly upon them. With regard to an alteration of the law as it ſtood, the honourable gentleman would give him leave to pauſe upon it a little, and before he took any ſtep for that purpoſe to conſult thoſe more converſant with the nature of criminal puniſhments, than he was himſelf.

Sir *Charles Bunbury*, in confirmation of the perverſion of the puniſhment of the pillory, ſtated the caſe of a man convicted of ſodomitical practices at Bury, who had been recommended to mercy by the jury, and in whoſe favour application had been made to the judge who tried him. This man had been ſentenced to the pillory, and having been a reſpectable houſekeeper, had the greateſt dread of that puniſhment, from a conviction that the populace would be ſo exaſperated againſt him, that they would take his life. The man had ſtated his fears to him, and he had been the perſon who applied to the judge in the criminal's behalf. The judge was a very diſtinguiſhed character, and a man of true benevolence, whoſe loſs every man had lately had cauſe to lament, and whoſe name would always be remembered with reſpect. The judge had told him, that he thought the law required alteration, but as it ſtood, it was impoſſible for him to ſentence the man to any other puniſhment. When this was reported to the priſoner, it threw him into deſpair, and ſo great was his dread of the pillory, that the night before the ſentence was to be put in execution, he took poiſon. The next day, however, he was placed in the pillory, and as he had predicted, was ſo ſeverely treated by the populace, that he died that night in jail, and whether he died from the poiſon, or in conſequence of his ill treatment from the mob, had never been aſcertained.

Mr. *Ord* brought up the army eſtimates; they were read a firſt and ſecond time, and the third time being read diſtinctly article by article,

Sir *Philip Jennings Clerke* roſe and objected to the firſt eſtimate, viz. that of a ſpecific ſum for Colonel Fullarton's regiment.

This gave riſe to a debate, in which a great deal of the ſame argument, that had been uſed againſt this eſtimate in the committee, was repeated.

The ſpeakers were, Sir Phillip Jennings Clerke, the Secretary at War, Mr. Townſhend, Lord North, Colonel

Barré, General Burgoyne, Mr. Fox, Mr. T. Grenville, General Frazer, Mr. Byng, and General Conway.

The chief of the new matter which came out in the courſe of the debate, was as follows:

Mr. *T. Townſhend* warmly contended againſt the appointing a gentleman who had never been in the army to a command. He complained of groſs partiality in the diſtribution of commiſſions and employment. He aſked why old officers who had ſerved well, and diſtinguiſhed themſelves laſt war, were unemployed, while young gentlemen unpoſſeſſed of a ſingle military idea, who bought their men at Charing-croſs, were put at the head of regiments? Why were many other officers of merit paſſed by? Why was Colonel Meadows, who had diſtinguiſhed himſelf in America, refuſed promotion? Mr. Townſhend concluded with calling upon the Secretary at War to tell the Houſe who it was, that had recommended an appointment ſo inſulting and unjuſt to the army, as the appointment of the honourable gentleman for whoſe regiment the preſent eſtimate was given.

The *Secretary at War* declared it was not him that recommended the appointment; that he knew very little of the matter, and never preſumed to give an opinion on military affairs. That his Majeſty had a military miniſter, an officer of as high reputation in the army, as any one man that ever ſerved in it. That he had received his Majeſty's orders for the appointment of the honourable gentleman in queſtion through that noble Lord's hands.

Lord *North* declared that the honourable gentleman was neither to have permanent rank nor half pay; that he had only aſked for the rank he held for a particular ſervice, that his rank was not even to continue ſo long as that of any other colonel in the new levies; it was not to laſt during the war, but was to ceaſe as ſoon as the particular ſervice for which his regiment had been raiſed was finiſhed, or if it ſhould even be dropped, the honourable gentleman did not deſire to hold it. That he had raiſed his regiment with great diſpatch, and without any expence to government, and that he was not going out chief in command, but ſecond to an officer of profeſſional knowledge and high character.

Colonel *Barré* reprobated the idea of one of the *corps diplomatique* coming at once into the army at the head of a regiment,

regiment, and going out into an unhealthy climate on an enterprize of importance, where if the gentleman chief in command ſhould chance to die, the command would devolve on him. The Colonel diſclaimed any intention to give the honourable gentleman offence, he meant none, and the honourable gentleman was too high in character to merit diſreſpect. He could not, however, as a man who had ſerved in the army for many years, but feel himſelf wounded at an appointment which was an inſult to the army in general. If men, who by a connection with a miniſter could thus get upon the ſtaff at once, without having ever ſerved, it was in vain for officers to toil on for many years, fighting for their country, and doing hard duty. The Colonel deſired to know, who had recommended the appointment? He would undertake to ſay, that the noble Lord at the head of the army [Lord Amherſt] had neither adviſed, nor did he approve of it? He wiſhed to know who it was that had? He aſſerted, that Lord Amherſt was to his knowledge too ſtrict an obſerver of rule and ſeniority, ever to countenance ſo extraordinary an appointment. He knew this from his own experience laſt war, when ſerving under him. The noble Lord had then refuſed him promotion upon that ſingle ground, and the noble Lord had been juſtifiable in ſo doing. The Colonel ſtated the nature of appointing to commands in France, and ſaid, that though the gentlemen of the long robe went into the army there, he defied any man to give an inſtance of their having been put at the head of corps, and given command. There were, he ſtated, 50,000 noble families in France, out of which the French army was officered. After a long detail of facts of this kind, he returned to the ſubject, and having mentioned ſome groſs partialities ſhewn to men who had ſerved in Portugal, ſince the war, particularly to a gentleman who had been a lieutenant in his own regiment, he ſaid he ſhould give his hearty negative to the eſtimate.

General *Burgoyne* alſo condemned the appointment as an inſult to the army. The General ſtated a number of officers who had ſerved long and could not get promotion. He mentioned the partial conduct of miniſters reſpecting his relation the deceaſed Major Stanley, and dwelt on it for ſome time.

Mr. *Fox* enforced the ſame idea, and called upon Mr. Grenville to inform the Houſe the particulars of the ill treatment he had received on his application for preferment.

Mr. *Grenville*, in a very correct and neat ſpeech, ſtated to the Houſe, that having been an enſign in the guards for

a twelvemonth, and the next ſtep in the guards being to a captaincy, he applied to the commander in chief to be made a captain in an old regiment; the anſwer he received was, that there were many old lieutenants who had applied for that promotion before him. Satisfied with this, he remained content till his friend the Duke of Rutland offered him a captaincy in his new raiſed corps. He applied again to the commander in chief, and was refuſed, upon the plea that he could not take two ſteps at once. He then applied for a lieutenancy in the Queen's regiment, which happened to be vacant, and all the enſigns of which petitioned in his favour, but he was again refuſed, unleſs he would ſpecify what were the reaſons which had induced the enſigns of the Queen's regiment to recommend him, and to give up their own claims in his favour. He was an applicant another time to be a captain of one troop of an honourable gentleman's horſe, who had raiſed the corps on condition of appointing his own officers; this likewiſe he was refuſed, till at length finding that he was ſingled out for ill-treatment, he felt himſelf diſguſted, deſired to reſign his commiſſion, and quitted the ſervice.

The *Secretary at War* produced a paper, which he ſaid had been put into his hands by the noble Lord at the head of the army, in which that noble Lord had aſſigned his reaſons for every refuſal of the honourable member's applications. He had refuſed the ſuffering him to move to a captaincy, becauſe the honourable member had only been an enſign in the guards one year; and he had refuſed his having the lieutenancy in the Queen's regiment, becauſe the enſigns of that regiment had recalled their recommendation of him, and deſired that one of themſelves might have the promotion.

General *Frazer* ſpoke warmly in praiſe of Mr. Grenville, and in the inſtance of Mr. St. Leger, proved that Lord Amherſt did not always ſo rigidly adhere to rule, becauſe Mr. St. Leger had been allowed to riſe rapidly from enſign to lieutenant, from lieutenant to captain, and from captain to major.

General *Conway* deplored the bad management of the army, when any gentleman could be ſo perſecuted as the honourable gentleman had been. He condemned the appointment of the honourable gentleman mentioned in the eſtimate, as highly unwiſe and improper. After he ſat down, the General roſe again, to recall the word *perſecution*, which he ſaid was

too

too ſtrong an expreſſion, and to defend the character of Lord Amherſt.

The other eſtimates were then ſeverally put, and were all agreed to, after half an hour's debate on that for granting 6997l. for bridges and roads in Scotland. In this debate Mr. Fox, Mr. Charteris, the Lord Advocate, General Howard, Sir George Yonge, and Mr. Gilbert took place.

A word or two alſo paſſed between Sir Philip Jennings Clerke and Colonel Holroyd, upon the eſtimate for that gentleman's additional corps.

April 12.

Lord *North* preſented the tax bill, enacting, that an additional duty be laid on malt, low wines and ſpirits, foreign wines, brandy, and rum, coals exported, advertiſements, a duty on receipts for legacies, and a duty on licences to be taken out by perſons dealing in coffee, tea, and chocolate.

The bill was brought up and read a firſt time by breviate. It was then moved that it be read a ſecond time.

Sir *Charles Bunbury* thereupon roſe, and in a ſpeech of ſome length, which was remarkably figurative, took a general review of the melancholy complexion of the public affairs, concluding with ſtating a few ſtrong objections to the malt tax.

Sir Charles compared the ſtate, as ſituated at preſent, to a veſſel at ſea, toſt to and fro in a violent ſtorm. Thoſe who had been appointed to pilot the ſhip, had by a variety of inſtances, ſhewn their total incapacity to diſcharge the duties of their office. They had repeatedly avowed their own inability, and did not even pretend to be able to bring the ſhip ſafe into harbour. All they looked to was their own perſonal ſafety, and ſo far from attempting to direct the helm, they merely faſtened to the handle of it, to prevent their being thrown overboard, by the exaſperated crew. So unwiſe, ſo dangerous, and ſo fatal in their conſequences had been the meaſures purſued by theſe ſtate pilots, that they had created univerſal diſſatisfaction, diſguſt and deſpair. Their great meaſure, the American war, had reduced this country from a ſtate of unexampled glory, proſperity, power, and wealth, to a ſtate of wretchedneſs, of weakneſs, of adverſity, and of contempt, almoſt beyond the idea of the moſt melancholy viſionary. The conſequences that ſtared us in the face had in the progreſs of the war eſcaped the notice of many gentlemen, who were now forced to witneſs the gloomy ſcene; there were, in that Houſe, thoſe who were jovial ſpirits,

good

good companions, and friends of the bottle, who had carried a face of chearfulneſs throughout the buſineſs, and if ever a qualm came acroſs their minds, on a morning after a debauch, a dinner had ſilenced its impreſſion, and the jolly evening had totally diſtanced all remembrance of it; there were others who were men of a melancholy turn, men who thought of nights, and reviewed the buſineſs of each day, who had all along ſeen and dreaded the iſſue of that work, which appeared to them big with danger, big with ruin. Of thoſe poſſeſſed of this irritable frame of mind, he was one, and he had not only ſtood long ſince ſelf-convinced of the errors of the paſt conduct of miniſters, but he had more than once brought them in view of the Houſe, and endeavoured to induce others to feel in the ſame manner, in which he had long felt.

A lively French writer had ſaid, that the moſt melancholy quarter of an hour in the whole twenty-four, was that in which the reckoning was to be paid. This was the time in which the public were called on to diſcharge the tremendous reckoning incurred by the American war, and in order to do it, gentlemen were deſired to impoſe burthens of the moſt heavy and galling kind on their conſtituents. It was now a moment when men naturally examined the items of the bill, and were led to aſk themſelves, whether in ordering the diſhes which had compoſed their entertainment, they had not thoughtleſsly given way to their capricious appetites, rather than conſulted their ſober reaſon, and ordered ſuch matters only as their bodily health required. He would venture to ſay, that now men had riſen from the feaſt, extravagant beyond all example as it had been, it had not proved ſalutary or ſatisfactory to any one that partook of it. The time of remedy had unfortunately been ſuffered to eſcape unuſed; but the Speaker, he truſted, would do him the juſtice to ſay, that he had objected to the bill of fare originally, and had ſtated his reaſons for diſapproving of the moſt expenſive diſhes. That very coſtly one, an army large beyond all examples, had been a particular object of his diſlike. A large army to an Engliſhman was always diſagreeable: a large army for no uſe was ſtill more diſguſtful. What proof had they that the army, which had been voted, exiſted, but that moſt diſagreeable of all proofs, the being called upon to pay them? What had that army done for the immenſe ſums that they had coſt the public? What were they now doing? A ſhort paragraph would comprehend the hiſtory of all their moſt memorable tranſactions. In 1778, the army evacuated Philadelphia;

ladelphia; in 1779, they evacuated Rhode-Iſland; in 1780, the army was—no man knew were, and doing,—no man knew what. So that the idea of Mr. Bayes, which had hitherto been conſidered as a ludicrous one, was attempted to be ſeriouſly realized, viz. to keep a large army incog.

So diſguſted and ſo exaſperated at the rapid decline of the empire were ſome men, that in the hour of their diſpleaſure they ſuffered themſelves to be miſled, and were inclined to aſcribe the cauſe of the mortifying change of our condition to certain defects in the government itſelf, which only proceeded from a looſe, a weak, and unwiſe adminiſtration of that government. Theſe men were, in the blindneſs of their zeal to recover their former proſperity, attempting to alter and new model the conſtitution, that conſtitution, which from the days of his earlieſt infancy he had been taught to admire for the beauty of its ſtructure, the fitneſs of its parts, and the uniformity and wiſdom with which it was conſtructed and put together. That grand, and noble edifice, the Britiſh conſtitution, was thought by ſome men to have loſt a ſhare of its ornaments, to have grown rotten with age, and to ſtand in need of repair. Let ſuch zealots be cautious, that in their attempts to give it additional decoration, they did not deface its beauty, and deſtroy its ſplendid appearance. In ſupporting thoſe beams which they thought were ready to give way, let them take care that they did not bring the old manſion over their heads. The edifice was in his idea, not the leſs durable and ſtrong, for the length of years that it had ſtood; it was of itſelf ſufficiently noble; he wiſhed, therefore, for one, that modern reformers would not raſhly proceed in a buſineſs which might be fatal to themſelves, and fatal to all who by birth-right were entitled to lodge in the manſion.

Sir Charles paid many ironical compliments to Lord North for having by the weight of his arguments, brought the whole nation to their ſenſes, and to a thorough conviction of their ſick and calamitous condition. His worthy friends on the other ſide of the Houſe, muſt, he ſaid, excuſe him, if much as he in general admired their eloquence and oratory, he thought that the opening ſpeech of the noble Lord, in propoſing the taxes ſpecified in the bill then under conſideration, had weighed down all their arguments, able and admirable as thoſe arguments had frequently been during the courſe of the laſt five years. What they ſaid, had undoubtedly been well ſaid, but it ſerved chiefly to amuſe; what the noble

Lord

Lord had lately uttered, tended immediately to convince. He could not but conſider their oratory reſpecting the American war, as pleaſant and agreeable wine which paſſed through the body without leaving any proof of its having been ſwallowed. The noble Lord's arguments, on the contrary, appeared to him to reſemble medicinal draughts extracted from ſalutary drugs, which by riſing in the ſtomach after they were taken, effectually reminded the patient of his diſorder. That phyſician who declared the exiſtence of the complaint, and made the declaration in ſuch language as ſerved to convince the ſick of their malady, acted in the manner, which was moſt likely to open a way to recovery. The noble Lord had told them, that the nation was in great exigency, that he muſt raiſe large ſums to pay the intereſt of the loan, and that thoſe ſums muſt be raiſed by new taxes to be impoſed on the people, and which, as the exigency was ſuch as to demand an immediate ſupply of money, muſt be laid on the neceſſaries of life. This argument was of weight, it was an unanſwerable proof of our diſtreſs, it carried conviction in it, it brought the jovial fellow to his recollection, and it made the melancholy thinking man, perfectly ſure that he had all along been right in his gloomy reflections on the conſequences that muſt ultimately attend the meaſures that had been adopted.

Sir Charles ſaid further, that he had been born to the title of a gentleman, a title which he had hitherto thought a high honour, but which he began now to fear, he ſhould have reaſon to lament had ever belonged to him, from the appearance that there was, that he ſhould not much longer be able to live in that rank in life which his birth had induced him to think he was intitled to hold. The foreſathers of thoſe whom the world called gentlemen, he was ſure could have no idea, that this country in ſo ſhort a time could poſſibly have been converted from a rich and flouriſhing country to a miſerable, diſtreſſed, and deſpicable country; they could never have imagined that ſo much of the property they left their families, would have been taken away in taxes, or they would have all followed the maxim of Mr. Locke, and had their ſons taught a trade, by which, in caſe of loſs of fortune, they might be enabled to get their living. There was not now a ſingle article or enjoyment of life which did not bring to the mind of every man in almoſt every hour of the day, a recollection of the diſtreſſes of the country, and the enormous burthen of the public taxes. Was he for an hour to forget the ſtate we

were

were reduced to, to feel a temporary chearfulneſs, and ſit at his eaſe in his chair in his chamber, he was diſturbed with the knock of the collector to demand the houſe tax! Was he to go into his ſtable, the ſight of the jockey boys reminded him of the tax on ſervants! Was he to travel in a poſt-chaiſe, and look through the front window, the horſes brought to his recollection the tax on travelling poſt. Even ſleep would not drown the remembrance, for ſhould he fall into a doſe as the carriage paſſed along, he was awakened to a full ſenſe of the tax by the turnpike-man's demanding the check ticket. The turnpikeman was, in his idea, like the beadle, who ſtood with his ſtaff at the church door, and ſaid, as the people came in, and went out of the church, "Pray remember the building of the church!" The turnpike-man in like manner, by demanding the check ticket ſeemed to ſay, "Pray remember the American war!" By the bill which had juſt been read, ſtill farther occaſions to remind him of the miſery of his country were ſuggeſted. If he drank any of the wholeſome beverage of England, he could not ſwallow the ſalutary draught without thinking of the additional tax on malt. Wine which had hitherto been ſaid "to drive away care," would now produce an oppoſite effect, and bring care with every glaſs which was lifted to the lip. In ſhort, there was no end to the mementos of public diſtreſs, and the only way of ſtopping the recollection of them that he knew of, would be by a toaſt. As the miniſters he was aware, diſliked long ſpeeches, he would not make his much longer, but would end this part of it by ſuggeſting a toaſt to his new friends, for ſo he muſt call them. The toaſt he meant to ſuggeſt, he begged moſt ſeriouſly to recommend to their attention, becauſe it contained a maxim, which if fulfilled, would, he flattered himſelf, do them and their country more honour and more ſervice than any other theoretical maxim which they could poſſibly reduce to practice; his toaſt was, "Peace with America," and to this he begged to add another. "A leſs army and a ſtronger fleet." Theſe two toaſts would not only inſpire univerſal hilarity, but would, in fact, conduce more effectually to reſtore the national health of body and happineſs of mind, than any recipe that could at preſent be preſcribed.

Having gone through a general review of the ſtate of affairs, and traced them to the preſent moment, Sir Charles declared he had an objection to all taxes, and that from the manner in which the money ariſing from taxes had of late been employed, that natural objection had been conſiderably increaſed

and

and ſtrengthened. Miniſters employed the money taken out of the pockets of the people in that moſt horrid of all purpoſes, the ſpreading war and deſolation, and the deſtruction of our fellow creatures; this to any man poſſeſſing the proper feelings of humanity, and a due ſenſe of religion, was a ſufficient reaſon to make him deteſt and reprobate the idea of taxes. After this general remark, Sir Charles came to a particular conſideration of the malt tax, which he deſcribed to be a heavy burthen, a burthen which would pinch the poor, and which was unequally and partially impoſed, in conſequence of the diſtinction made in favour of Scotland. The noble Lord in the blue ribbon, in propoſing the additional malt tax, had ſtated it to the committee as not likely to oppreſs the ſubject, aſſerting that it would fall chiefly on the private brewers, who in general were families of wealth and property. He begged to tell the noble Lord that this was a fallacious and a miſtaken notion; the tax would bear hard on the poor, it would preſs and goad the labouring villager, and his already ſufficiently diſtreſſed family. In the county in which he lived, and which he had ſo long had the honour to repreſent in that Houſe, Sir Charles ſaid, there were many cottagers who lived in villages without an alehouſe, and who always, from motives of œconomy, brewed their own beer; theſe men already found it difficult to ſupport their families by their induſtry and the ſweat of their brow; that difficulty would now be conſiderably increaſed! The malt tax would affect all England, and it would be paid with the greater ill-will, from the glaring partiality to Scotland; in ſaying this, he hoped, he ſhould not be ſuſpected of entertaining any illiberal prejudices againſt the natives of that part of the iſland; ſo far from it, he always conſidered thoſe, who were born north of the Tweed, as much his countrymen as thoſe who lived near his own houſe; he wiſhed them to enjoy the ſame liberty and freedom, to participate in all the bleſſings of our conſtitution, and to ſhare the comforts and enjoyments afforded by the mild government of Great Britain. With theſe ſentiments, could it be thought unfair in him to expect that thoſe who lived north of the Tweed ſhould contribute their ſhare towards the public expence, and proportionably aſſiſt in ſuſtaining the public burthens. The taxes ought, in his opinion, to be equal in Scotland and in England; and he wiſhed to know from thoſe who were beſt able to inform him [here he caſt his eyes upon the Lord Advocate] why a diſtinction reſpecting the malt tax had ever been made in favour of Scotland.

Scotland. He was not to learn, he ſaid, that at one time the country north of the Tweed was much behind the ſouthern parts of the iſland in reſpect to cultivation and agriculture; ſo improved, however, he underſtood, was Scotland in thoſe points now, that he was amazed to find, that a country from which was collected ſo large a crop of ſtateſmen, of lawyers, and of military men, who kindly joined in adviſing the cabinet, in being the advocates of the noble Lord in the blue ribbon, and in conducting our armies in the field, ſhould yield ſo ſmall and ſo poor a crop of barley, and produce ſo little and ſuch indifferent malt. It was not only in that ſubject of taxation that Scotland was unequal to England, but in almoſt every other. If the land of Scotland paid but forty thouſand pounds, Yorkſhire paid twice as much, Suffolk paid ſeventy thouſand, and other counties infinitely more. Having ſtated this, Sir Charles recurred to the malt tax as it ſtood in the bill, and declared that it would diſtreſs the public greatly. He aſked, if the beverage of the people was ſelected as the noble Lord's firſt object of efficient taxation, why did he not lay the tax equally, and take the beverage of the weſtern counties, as well as the beverage of thoſe near the capital, and near the north of the kingdom? Why not tax cyder? Cyder was a fair object of taxation, and though he was as unwilling as any man to aſſent to a meaſure, which tended to deſtroy the old Engliſh idea, that every man's houſe was his caſtle, and to preſerve the dwelling of private families ſacred from the rude entry of an unhallowed exciſeman, he was convinced ways might be found of laying a tax on cyder, which might be ſo collected as to be free from this objection. Why not tax the cyder ſold by the publican, which would, he was ſure, produce a very large ſum? He adviſed the noble Lord to do this, and to reduce the intended additional malt tax to 3d. a buſhel in England, and 2d. in Scotland, which would be an allowance of one-third to that country, an allowance he preſumed fully equal to the difference between their barley, and the barley produced in the home counties of England.

Sir *Edward Aſtley* ſupported the honourable Baronet's propoſition, that the tax would fall heavy on the poor, and ſtated that the new duty would, with what the maltſter would put upon it, amount to ſix ſhillings a quarter; an encreaſe which the noble Lord probably had not dreamt of.

Sir *George Cornwall* roſe to anſwer what the honourable Baronet, who ſpoke firſt, had ſaid reſpecting the fairneſs and probable

probable advantage of impoſing a tax on cyder. He declared the honourable Baronet was miſtaken, if he imagined the county he had the honour to repreſent, did not pay its full ſhare of the public taxes; in their county a great deal of barley was grown, and much malt made; great quantities of another ingredient in the compoſition of beer was alſo grown, viz. hops. His county, therefore, contributed very largely to the public revenue.

Mr. *Rolle* roſe alſo on the ſame account reſpecting the county he repreſented. If the honourable Baronet, inſtead of propoſing a tax on cyder had propoſed a tax on horſe-racing, and the ſports of the turf, it would, he ſaid, have done him more credit, becauſe then a part of the burthen would have fallen on his own ſhoulders. He wiſhed the honourable Baronet, inſtead of interfering with other counties, and attempting to diſturb their peace, would content himſelf with endeavouring to take care and preſerve the peace of his own county. Mr. Rolle addded ſome farther perſonalities.

Sir *George Yonge* took up the argument ſolely on the ground of the inequality of the duty as intended to be laid in Scotland and England. Sir George entered into a circumſtantial deſcription of the ſort of grain ſown in Scotland, and ſaid it was not barley, but called by ſome bear, by others big. It was inferior to barley, and certainly would not produce an equal quantity of malt. The very ſame grain was grown in the northern parts of England, and in many parts of Wales, in neither of which deſcriptions of place, either from the poverty of the ſoil, or from ſome other cauſe, would barley grow to any perfection. He contended, therefore, that if Scotland paid a leſs duty than in England, in addition to the duty already paid, that the ſame diſtinction ought in juſtice to be made in favour of Wales, and in favour of ſuch parts of England (viz. Durham, Cumberland, Weſtmoreland, &c.) where big was produced. Sir George ſaid, he would propoſe to amend the bill in the manner he had mentioned, when it ſhould come into a committee. He alſo noticed the little ſhare of the public burthens ſuſtained by Scotland, declaring, that notwithſtanding the ſmall portion of land tax expected from that country, that portion, ſmall as it was, was not paid; for that on Lady Day, 1779, there was a deficiency in the account of 103,000l. and now a year having elapſed, there was conſequently a much greater deficiency. He ſaid, at the time he had mentioned, there was likewiſe a great deficiency in the land tax receipt of England, which, in con-

ſequence of ſome ſalutary ſteps taken by that Houſe, was now almoſt wholly paid up.

Sir *Adam Ferguſon* ſpoke in defence of Scotland's paying ſo ſmall a ſhare of land tax, and ſaid that gentleman forgot, Scotland was herſelf at the whole expence of collection, and that the ſum paid by that country was the nett produce of the tax, which was far from the caſe ſouth of the Tweed. Sir Adam anſwered the argument that Scotland was not equally taxed with England, by remarking on the different ſtate of the two countries, and the ſuperior wealth of England. Thoſe Scotch who were poſſeſſed of large eſtates in their own country, for the chief part of the year reſided here, where they paid the ſame taxes on what they conſumed as any other perſons. Sir Adam alſo ſaid a good deal reſpecting the idea of making Scotland pay as large a malt tax as England; declaring that it ought firſt to be proved, that the barley from which the malt was made, was equal in quality to that which grew in England.

Mr. *Mayor* oppoſed the new duty to be laid on the malt, upon a different ground from any other member who ſpoke upon that occaſion; in anſwer to Sir Edward Aſtley, who aſſerted that if the maltſter was charged with the addition of 6d. per buſhel, he would put on another 3d., therefore, it would be no hardſhip on the maltſter. Mr. Mayor owned the great hardſhip that would be felt by a great number of individuals, but inſiſted upon it that the greateſt inconvenience would fall upon all maltſters; that inſtead of their being able to raiſe the price of malt, it had already ſunk, ſince this act had been in agitation; and that if the fact was as the honourable Baronet had ſtated it, he ſhould not have received the letter he had then in his hand, ſigned by every maltſter of the town he had the honour to repreſent, complaining of the partial injury which was certain to fall on them, if they might judge from the conſequence of the laſt duty of 3d. per buſhel. At that time malt immediately ſunk two ſhillings a quarter, therefore the whole extra duty fell on the maltſters; this, he ſaid, muſt undoubtedly be the caſe in the preſent inſtance, if the maltſter was forced to market at the time of the year when the brewers are leaving off for the ſeaſon. Therefore he hoped, if this act was to take place either at 3d. or 6d. per buſhel additional duty—that every poſſible indulgence would be given to that trade, which was already a very unprofitable one, aſſuring the Houſe, that upon the average of the laſt eleven or twelve years, the malt-

ſters had not made more than four per cent of their money, and that this additional duty would require for the ſame quantity of buſineſs, one ſixth part more to be added to that very unprofitable capital, which he was afraid would entirely ruin the very extenſive trade carried on in ſo great a barley county as Berkſhire; and ſhould that be the caſe, he did not know how the inhabitants were to come at firing; that coals were now double the price in the country, that they were in London, a very great burthen alſo to thoſe maltſters at ſo great a diſtance from town, there being no probability of getting coals into the country, but by back water carriage. He hoped a very long time would be given, to pay for the ſtock in hand, and then offered for the conſideration of the Houſe, a mode, which he thought without any injury to the tax, might afford ſome relief to the juſt complaints of the maltſter, and then propoſed, that the maltſter ſhould be allowed the drawback on producing vouchers from the publick brewer, for the malt ſold them, inſtead of the drawback being allowed on the beer, by which means the maltſters would be leſs time out of their money, and the brewery remain in its preſent ſituation.

Sir *Edward Aſtley*, in anſwer to Mr. Mayor, ſaid he had conſulted the maltſters in his part of the country, who told him they muſt put on 9d. if they were charged 6d. Mr. Mayor inſiſted on the fact he before ſtated, that the malt abſolutely did fall, and the public brewer bought it for two ſhillings a quarter leſs, when the laſt additional duty was laid on, in conſequence of which the maltſters were the great ſufferers.

Lord *George Gordon* commented on ſome parts of Sir Charles Bunbury's ſpeech, and declared, that undoubtedly his countrymen were as able to pay taxes as the inhabitants of any part of England. He imputed the noble Lord's making a difference in favour of Scotland, not ſo much to any doubt of the ability of the Scotch, or of the inferiority of beer and big to barley, but to a conſciouſneſs of reſiſtance in caſe the noble Lord attempted to load them with as a heavy load of taxes as he was impoſing upon England. The learned Lord Advocate, he ſaid, well knew the ſpirit of the people, by their enthuſiaſtic efforts againſt the introduction of popery, and they would be as ready to riſe againſt other meaſures of the preſent popiſh miniſtry, and would, to a man, refuſe to pay additional taxes. The noble Lord in the blue ribbon dare not lay the ſame taxes on Scotland as on England, if he did,

did, he was aware that neither he, nor his abettors, nor his exciſe officers, no, nor all the army could collect them.

The *Lord Advocate* roſe to reprehend the noble Lord for throwing out any ſuch ideas; he ſaid it was neither proper nor fair for the noble Lord to argue in that way. His arguments were all ill-founded, for he would take upon him to aſſure the Houſe, that his countrymen would be as ready to pay any taxes that Houſe ſhould think it wiſe and neceſſary to impoſe on the ſubject as any Engliſhmen could be. He declared, that when the noble Lord choſe to indulge himſelf with talking about popery and ſuch like fancies, he had no manner of objection, but he could not ſit ſilent when the whirligig took the noble Lord, and he thought proper ſo far to ſtretch his ingenuity, as to unite popery and ſmall-beer together, and falſify a whole people. He might go on for ever in extolling the inferior Scotch before their ſuperiors, and in preferring the forty-five ſelf-created ſocieties of Glaſgow, to every other reſpectable and legally conſtituted body in Scotland, without interruption from him, but he would not ſuffer him to miſlead the Houſe in an important fact, which he was from his own knowledge enabled to contradict. Having ſaid this, the Lord Advocate went into a long and circumſtantial detail of the hiſtory of the malt-tax, as far as it regarded Scotland, ſtating its operation at different periods, and what were the effects of the different modes in which it had been impoſed ſince the Union. He adviſed gentlemen [looking at Sir Charles Bunbury] not to indulge themſelves in wild ſpeculative fancies, and projects, without conſulting the evidence of Parliamentary hiſtory, which would have taught them that thoſe projects had already been put in practice, and found upon trial to be impolitic, and ſo far from anſwering their wiſhed-for end, productive of a directly contrary effect. He ſtated, that by the act of Union, it was ſtipulated that Scotland ſhould pay no malt tax during the then war, which, as England was at that time remarkably jealous of a malt tax, and that Houſe for the moſt part determined that no malt tax ſhould be impoſed on England after the war was over, the ſtipulation was conſidered as a perpetual exemption from a malt tax in favour of Scotland. In proof how jealous the Engliſh were of a malt tax, he reminded them, that from the reign of Queen Anne to the preſent hour, the malt tax was not rendered a permanent and eſtabliſhed tax, but was voted from year to

year. "From 1713 to 1724 he ſtated that a malt tax was with great difficulty impoſed on Scotland, that upon it a Scotch Peer had moved in the other Houſe to diſſolve the Act of Union, and on the diviſion there were exactly 55 votes on each ſide of the queſtion. That the produce of the malt tax from 1713 to 1724, was very little; in 1724 it was put upon the preſent footing, and became productive; it had now remained on that footing for near ſixty years, and no man who was wiſe, or wiſhed well to both countries, and to the revenue, would attempt to alter it. If it was altered, in all probability they would not encreaſe the duty, but induce the Scotch to encourage ſmugglers, ſubſtitute ſpirits for malt liquor, and neglect the brewery. He entered into an ample diſcuſſion of the nature of the grain produced in Scotland, and ſaid, that in the county he repreſented, that Paradiſe of Scotland, the Lothians, there were certainly ſpots as fertile and as productive as many parts of England, but that in general barley would not grow to perfection in his country, and the reaſon was not ſo much the want of a fertile ſoil as the harſhneſs of the climate, which, let agriculture be ever ſo much improved, would to all eternity prevent ſuch barley as was raiſed in the ſouthern parts of the kingdom, from being raiſed and ripened in Scotland. He ſaid further, that the ſtrong winds and wet ſeaſon, the early commencement of winter, and its long continuance, prevented barley from growing to perfection north of the Tweed; that the farmers now were obliged to gather it before it was half ripe: and that if any man could go into a farmer's barn yard there, he would ſee ſtacks of barley as green as when it was growing. In this country he felt no ſuch wind as in Scotland. On the contrary, he daily ſaw ſuch houſes built as would in Scotland be blown away in one night, like feathers before the wind. When he went every year to his own country, he found no beer that he could drink, it was ſuch weak, diſagreeable, and poor ſtuff. Here it was ſo fine, ſo pleaſant, ſo ſwelling a liquor, that he little cared if he taſted no other beverage all the while he ſtaid here. After going very fully into argument to prove that it would be idle to impoſe the ſame malt-tax on Scotland as on England, becauſe the country could not pay it, he ſpoke for a ſhort time generally on the impropriety of oppoſing the taxes which had been voted in a committee, and agreed to by the Houſe, contending that as the ſupply had been

been voted, and the miniſter had made a large loan on the faith of Parliament, to pay the intereſt of which the Sinking Fund muſt be mortgaged, if the taxes propoſed were not agreed to, or ſome others; the Houſe was bound to agree to the taxes, and enable the miniſter to keep his conditions with the ſubſcribers; he added, that gentlemen who oppoſed the preſent tax, ought, in candour, to ſuggeſt a freſh one equally productive and more practicable.

Lord *George Gordon*, in reply to the Lord Advocate, ſaid, he verily believed the learned Lord was fond of that Engliſh beer, that ſwelling liquor, which he ſo well deſcribed; for it had ſwelled him up to ſuch a degree, that he was exceedingly windy in that Houſe, and made a great noiſe with the reports of thoſe arbitrary and deſpotic principles he was ready to burſt with, and was daily diſcharging under their very noſes.

Mr. *T. Townſhend* warmly took up the latter part of the learned Lord's ſpeech, declaring it was the firſt time he had ever heard it laid down as a Parliamentary principle, that no gentleman had a right to oppoſe a tax unleſs he ſuggeſted another in its ſtead. To find fit new taxes he declared to be the duty of the Chancellor of the Exchequer, and of no other perſon. Mr. Townſhend alſo ſpoke about the Scotch beer, and ſaid he had once loſt a wager by laying that there was not as good beer brewed in Scotland as in England, his friend having ſent to Edinburgh for a butt of beer from a Mr. Bell, which, when he taſted, he was forced to confeſs it was as good beer as any brewed in England. As he praiſed it very highly, his friend paid him a perſonal compliment, but he would leave the Houſe to conſider how ſincere a compliment it was, when his friend told him he was a very handſome man!

The *Lord Advocate* roſe to explain.

Mr. *Fox*, in a moſt animated ſpeech, retorted on the Lord Advocate's argument about the Houſe's being obliged to agree to ways and means, after they had voted a ſupply, and with great ingenuity applied it to Mr. Dunning's motions already voted, and thoſe his learned friend ſtill meant to propoſe. He ſaid the vote of Thurſday laſt was the ſupply which the Houſe had voted in the caſe he alluded to, the two reſolutions which paſſed the committee on Monday were the ways and means to make good that vote of ſupply. The beneficial ways and means, the beſt, the only ways and means that could anſwer that ſupply already voted to the

people of England in compliance with their petitions! He hoped there the learned Lord's doctrine laid down this night would hold good, and that the Houſe, when the report of the committee was made, would diſcharge their duty, and agree to the reſolutions. If they did not, they failed in their duty, they deceived the people, by promiſing that they refuſed to perform, and it would be more manly to reſcind the reſolution of Thurſday, than to let it ſtand. Mr. Fox declared he ſhould vote againſt the malt tax, becauſe he thought a better tax might be deviſed, leſs oppreſſive to the ſubject and equally productive.

Mr. *Sawbridge* ſpoke on the ſame ſide,

Lord *North*, in a warm ſpeech, anſwered every objection that had been made againſt the tax, and ſhewed that it was a neceſſary tax, and that when it was rightly conſidered, it would not be found by any means oppreſſive to the poor. His Lordſhip repeated his opinion reſpecting a cyder tax, and ſaid, if ever it was impoſed, it muſt be in the ſame manner as it had been laid the laſt time, when it was ſo much objected to, notwithſtanding that a compoſition of 40s. a-year would have entitled a family conſiſting of twenty perſons, to conſume as much cyder as they thought proper. His Lordſhip ſaid, any little alterations that gentlemen had to propoſe in the mode of impoſition or collection, would properly come under diſcuſſion, when the bill was referred to a committee.

After a few words from Sir James Lowther, the queſtion, "That the bill be read a ſecond time," paſſed without a diviſion.

April 13.

The order of the day for the ſecond reading of the bill for preventing revenue officers from voting at elections, was read.

Mr. *Crewe* roſe, and ſhortly ſtated, that the object of his bill was to diminiſh the influence of the Crown, and contribute towards ſecuring the independence of parliament, two of the matters chiefly deſired by the people in their petitions, and therefore purpoſes which that Houſe were bound in duty to their conſtituents to fulfil, and which they had given a promiſe to fulfil by the reſolution which they came to on Thurſday laſt, "That the influence of the crown had encreaſed, was encreaſing, and ought to be diminiſhed." Mr. Crewe ſaid further, that this bill did not take away, as might be ſuppoſed, the franchiſes of perſons holding offices in the cuſtoms, it only eſtabliſhed it as a rule, that while they poſſeſſed offices under

under the immediate influence of the Crown, their right of voting for members to ſerve in parliament ſhould be ſuſpended. This he termed an effectual mode of reſtraining the influence of the Crown without doors in one material inſtance, which he conceived ought to be their aim as much as endeavouring to reſtrain that influence within doors, or the work of reformation would only be done by halves.

The *Lord Advocate* ſaid, he roſe with a determined reſolution to reſiſt the bill, and declared he would reſiſt all ſuch bills, as long as he had a mouth to utter a ſentence with, or legs to ſtand upon; becauſe he conſidered the bill as an attempt to make a violent alteration in the conſtitution, without having firſt eſtabliſhed proof that the conſtitution wanted alteration, or that, if it did, the matter ſuggeſted by the bill would be the ſort of alteration that was fit or neceſſary. The bill appeared to him to be of a moſt dangerous and alarming nature; the principle of it was what he objected to altogether, and what he meant to oppoſe; for which reaſon he roſe to oppoſe it on the ſecond reading, without waiting till it got into a committee, which would be the proper time for thoſe who approved the principle, but diſliked the mode in which the proviſions of it were drawn up and ſtated. The principle of the bill was no leſs than a total diſfranchiſement of a large body of the electors of Great Britain, without proof of their having committed any crime to render them deſerving of ſo ſevere a puniſhment. It had been ſaid, that the bill did not diſfranchiſe the officers of the revenue, for if they choſe to keep their right of voting, they might do it on giving up their places. Good God! what was this but reducing them to the moſt cruel of all poſſible alternatives—either to loſe their franchiſes or to ſtarve! Many of the revenue officers had for years followed the employ of their preſent ſituation, and maintained their families by their ſalaries. Many of them had left trades and occupations to which they could not now return, they muſt therefore either give up their daily bread or their franchiſe. Would any Engliſhman who would give himſelf time to reflect a moment on this true ſtate of the caſe, ſay, he was prepared to give his vote in ſupport of a meaſure ſo violent, ſo arbitrary, ſo inimical to every principle of freedom, and ſo unjuſt? What had the revenue officer done to merit ſuch treatment from that Houſe? And what right had that Houſe to take a ſtride of that kind, and at one daſh of the pen annihilate the franchiſes of a large body of the ſubjects; without any reaſon having been aſſigned farther than a mere aſſertion, that it was conſonant to the prayer of the

petitions ſo to do, and without any proof being adduced, which could at all tend to convince the Houſe that ſuch a ſtep was any way juſtifiable. He hoped, and he truſted that gentlemen were not inclined to adopt every raſh meaſure which might be propoſed to them, merely becauſe the perſon ſuggeſting it, took upon him to aſſert, that it was what the people deſired, but that they would join with him in giving a direct negative to the ſecond reading of the bill then on their table.

Lord *John Cavendiſh* roſe, and ſaid he could not agree with the learned Lord, either that it was ſuch a bill as he had deſcribed, or that it was ſuch a bill as ought to be negatived. It ſtruck him in a very different point of view. It ſtruck him as a wiſe, a neceſſary, and a ſalutary ſtep towards that reformation, that endeavour to diminiſh the enormous influence of the Crown, which the people in their petitions univerſally complained of, and which that Houſe, by a ſolemn reſolution, had pronounced to be encreaſed to ſuch a degree, that it ought to be diminiſhed. He declared there was not a man living who held the franchiſes of the people more ſacred than he did, nor who would be more ſcrupulous to touch them, but this bill did no ſuch thing. It only held out an option to the revenue officer, either to quit his office, or to agree that this right of voting ſhould be ſuſpended during the time that he held his employ; and ſo far was this from being a hardſhip to that deſcription of men, he would take upon him to aſſert, that it would be a great kindneſs to them, and the very beſt boon that Houſe could poſſibly give them. The learned Lord talked a great deal of the value of the franchiſes of the officers of the revenue; did not the learned Lord know, did not every man who heard him know, that, in truth, the revenue officers had no franchiſe, and that it was abſolutely impoſſible for them to give their votes freely and to the candidate whom they in their conſciences approved, without endangering the loſs of their places? The preſent bill, therefore, inſtead of doing them an injury, would do them an eſſential ſervice. It would give them ſecurity in their offices. It would make them eaſy, it would make them happy; it would, at the ſame time, tend materially to render that Houſe independent, and by demoliſhing the undue influence of the Crown without doors, add to the freedom of Parliament, and anſwer, as far as it went, one great end of the petitions of the people, to which they were bound to pay attention. He, for theſe reaſons, approved moſt heartily

tily of the bill, and returned his ſincere thanks to the honourable member who brought it in.

Lord *Nugent* roſe to oppoſe the bill, and before he ſaid a word more, he declared he was free to confeſs that it would affect his conſtituents if it paſſed. That, however, was not the ground on which he oppoſed it, nor was it any conſideration with him in any caſe, where the good of the people at large was the aim of any meaſure which came into debate. He oppoſed it, he declared to God, for no other purpoſe, than becauſe he thought the principle of it ſuch, as no man, who regarded the franchiſes of the people as highly as he did, and as every man who loved the Britiſh conſtitution muſt do, could approve. What, take away the franchiſes of a large body of men for no reaſon but becauſe they are revenue officers? Was there any thing criminal in ſerving their country, and in maintaining their families by the produce of that ſervice? Surely no reaſonable man would conſent to ſuch an unfair, ſuch an unconſtitutional propoſition! The noble Lord had ſaid that the bill gave them an option: it certainly did, but what ſort of an option? The very option which the learned Lord had ſo well deſcribed, a choice of conſenting to be disfranchiſed, or of—ſtarving. Nothing ſhort of that. He had already ſaid, that many of his conſtituents were revenue officers. They were ſo. He had confeſſed it; but that was not the ground on which he oppoſed the bill. He was perfectly ſafe at St. Mawes; if he quarrelled with the noble Lord to-morrow, he defied the noble Lord, with all the revenue officers, to injure his election, and he would tell the Houſe why. Five-ſixths of the borough was his own property; his conſtituents were his tenants, and he was ſure of his election. He had no motive, therefore, but his conviction that the bill was a bad bill, and an improper one, which induced him to oppoſe it. Let gentlemen recollect how many years the franchiſes of the electors of Great Britain ſtood upon their preſent footing, ever ſince the 8th of Henry VI. He was ſure he was right in his aſſertion as to the date, becauſe Mr. Sheridan had lately told the public ſo, in thoſe reſolutions of the Weſtminſter committee drawn up and ſigned by him when he was in the chair. Ought not gentlemen, therefore, to conſider a little what they were doing? To recollect the reverence in which their anceſtors had held the franchiſes of the people, by not making any law affecting them ſince that Act of Parliament which paſſed in the reign of Henry VI. and which then diſfranchiſed a

great

great part of the people. Beſides, why had not a revenue officer, if he was a freeholder of 40s. a year, as good a right to hold his franchiſe, which perhaps was his birthright, as any one gentleman in that houſe?

The noble Lord had ſaid revenue officers would have their choice either to give up their place or their franchiſe. Was there a man in England ſo baſe minded as not to feel it the pride of his heart, that he lived in a country, perhaps the only country in the world in which every man had a right, as he could not act for himſelf in Parliament, (becauſe the aſſembly would be abundantly too large for buſineſs if every man had a right to come to it,) to give his vote for the perſon he choſe to repreſent him in Parliament and act for him? So that he virtually was bound by laws of his own making, and to which, by his repreſentative, he had given his conſent. Then why ſtifle that pride, that honeſt pride? Why degrade Engliſhmen and deprive them of their moſt glorious right? What—do it merely becauſe they were revenue officers—Abſurd and unjuſt!

Oh, but perhaps he ſhould be called, 'The old rat of the conſtitution,' for holding this doctrine! The noble Lord who had pleaſed to beſtow that title upon him, was always inclined to take the greateſt liberties with his beſt friends, and thoſe who really wiſhed him ſincerely well. Perhaps the noble Lord thought they would be the laſt to be offended with him. He did aſſure the noble Lord, he was not offended. There was no harm in the appellation—it was a ſtroke of innocent humour. He had been puzzled, however, to diſcover through what chink of the noble Lord's ſkull the old rat had crept into his head, and he had been puzzled to find out why he was called the old rat of the conſtitution. He ſaw in the newſpaper which he had read that morning, there was a paragraph upon it, and the news writer was alſo puzzled how to account for the title. He had endeavoured to diſcover what property of a rat belonged to him. Did the noble Lord think he was one of thoſe who would run away from the conſtitution, when it was in danger, as a rat would run away from a falling houſe? He did aſſure the noble Lord he would not. As long as his friendly limbs would enable him, and friendly he had a right to call them, for they had borne him for nearly 71 years, he would ſtand up and ſupport it. Support it to the laſt hour of his life, let who would endeavour to pull it down and undermine it, under pretence of neceſſary alteration; better to be buried under

der the ruins of the conſtitution, than to ſurvive it. He would go ſtill farther,—he would ſupport the miniſter; the noble Lord in the blue ribbon ſhould have his ſupport, becauſe he was convinced from long experience, that the noble Lord wiſhed well to his country, and had a true love for the conſtitution. The noble Lord would ſooner die than ſuffer it to be impaired. He liked the noble Lord for it. He had voted with him in the time of his proſperity, he would vote for him now. Having thus diſavowed one of the qualities of a rat, he would tell the Houſe which of the qualities of that animal he admired, and he bid the other ſide of the Houſe beware and copy them. A rat was ſometimes intent on acquiring good things. It thought it had a right to viſit the bread-room and the cook's cabin. It would go there, but it always cautiouſly avoided gnawing through the ſides of the veſſel; it never made a hole which would endanger the ſhip. Let the gentlemen in oppoſition hold this in their minds; let them, if they thought they had a right to force their way into the bread-room, go there and get their ſhare of the good things; but let them take care how they forced out a plank of the ſhip's ſide, let them take care that in their zeal for alteration, they did not ſink the veſſel. He ſaid the noble Lord who had called him an old rat, had ſomething of a rat in his own conſtitution, he liked good things; he remembered when the noble Lord was ſome years ago on a viſit at his houſe, he was fond of going into the cook's pantry and the dairy. Indeed he muſt tell the Houſe he had at that time a remarkable pretty dairy-maid. [A roar of ſome minutes throughout the Houſe.] After more laughable matter, his Lordſhip recurred to ſerious argument, and contended very ſtrenuouſly againſt the bill, repeating the grounds of objection which he had ſtated in the former part of his ſpeech.

Lord *George Gordon* roſe the moment Lord Nugent ſat down, and ſaid, as to the noble Lord's dairy-maid he did not recollect any thing about her; but if the fact was as the noble Lord had ſtated, it was a proof that he was fond of good things and pretty girls at a very early age, for he was but between ſix and ſeven years old when he was on a viſit at the noble Lord's houſe. He declared, as ſoon as he grew to years of maturity, and became acquainted with public affairs, he had broken off all manner of connection with the noble Lord. The noble Lord might be, and he believed

believed he was a very worthy character in private life, a good-natured, humorous, ſocial man. But his public conduct and political principles were not at all to his liking, he had not therefore wantonly or in ſport beſtowed the appellation on him; but he had ſpoken from his heart, and called him what he really thought he was, when he had termed him one of the old rats of the conſtitution,

Mr. *Turner* warmly reprehended all ſuch ribbaldry and nonſenſe, calculated merely to create a laugh, and to anſwer no good purpoſe. He ſaid he was a ſerious man, and had not the talent by ſtrokes of wit and humour, to excite merriment, and if he had, he would not attempt it; the times were ſerious, and it was no hour for laughter. The noble Lord had boaſted, that he was ſure of his election at St. Mawes, becauſe the borough was his own property; —then who were his conſtituents? *Cujum Pecus?* The noble Lord had no conſtituents, he repreſented himſelf, and nobody elſe; his argument therefore went for nothing. Mr. Turner contended that the Houſe were bound to paſs the bill, that they muſt do it, the people of England had petitioned for it, and who would gainſay the people of England? They would have their way, they had a right to it, for the conſtitution of this country was a republic. He repeated it, he ſaid, in the face of all the crown lawyers, and let them make the moſt of it, a republic, and one of the fineſt in the world! He had held this language to the people in Weſtminſter Hall, and he would hold it every where. Where the monarch was limited by the ſame laws that governed the ſubject, it certainly was a republic and nothing elſe.

General *Conway* ſpoke in a manner exceedingly decided and in favour of the bill, as a meaſure perfectly agreeable to the petitions, and as a neceſſary conſequence to the reſolution which the Houſe had come to on Thurſday laſt.

Lord *Beauchamp* ſpoke againſt the bill, and anſwered ſeveral parts of Lord John Cavendiſh's ſpeech. The noble Lord had ſaid the revenue officers had an option, he begged to ſay it was an option without choice, and therefore it was no option. His Lordſhip ſhewed that the former bill on a ſimilar ſubject which had been brought in ten years ſince, was opened to the Houſe on very different grounds, for he particularly remembered the manner in which the honourable gentleman who brought it in, had opened it. He ſaid

he

he was ſorry to differ from his worthy relation, but he ſaw the whole matter in a very different point of view. His Lordſhip then defended the franchiſes of the people on true conſtitutional grounds.

Sir *Thomas Clavering* declared he muſt, for the ſake of conſiſtency, oppoſe the bill. He ſaid, he had oppoſed the former bill of a ſimilar nature, which had been brought in by the late Mr. Dowdeſwell, and aſſigned his reaſons for ſo doing. He did not believe that any ſuch influence as was ſuppoſed to be exerted over revenue officers by miniſters, was exerted; and as a proof of it, he informed the Houſe, that a few days ago he had received a letter from an elector of a certain borough, who was a revenue officer; he had never ſeen the man but once in his life, and when he read the letter, with difficulty recollected the man's name and hand-writing. In the letter the elector wrote him word, that he had formerly done him a piece of ſervice, while acting as a magiſtrate where he reſided, that now the elector was a voter for ſuch a place, ſpecifying where, and if he would let him know which of his friends he wiſhed him to ſerve, he would give him his vote at the next election. This Sir Thomas ſaid was the ſort of influence that prevailed, not the influence of the crown; and would gentlemen deſtroy the influence of gratitude, gratitude for paſt favours? He mentioned alſo an election conteſt which he once had, and declared that ſo far from having any cauſe to dread the influence of the crown over revenue officers, he would gladly have reſted his election upon them alone. He concluded with ſaying he ſhould give his negative to the bill.

Mr. *Powys* wondered that the honourable baronet, who had juſt ſpoken, who was one of the majority of 233, who voted the reſolution of Thurſday laſt, ſhould ſo ſoon fly off from the conduct which that vote bound gentlemen who were for it, to obſerve. He deſired the reſolution might be read. The clerk read it at the table.

Mr. Powys then roſe again, and endeavoured to lay it down as a maxim, that every member of the 233 who voted for the reſolution which had been juſt read, had bound himſelf down, and ſtood pledged to the people to comply with the prayers of their petitions, and to ſupport ſuch meaſures as ſhould be propoſed for diminiſhing the influence which they had decided to be increaſed, increaſing, and that it ought to be diminiſhed. It was impoſſible to effect that purpoſe, if ſome ſteps were not taken to purge the electors,

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as well as the elected, to diminiſh the influence without doors, as well as the influence within. His learned friend's two propoſitions of Monday laſt, he ſtated to be the means that tended to diminiſh the influence over the elected, and the preſent bill would have the ſame effect upon the electors.

Sir *Thomas Clavering* roſe again, and ſaid he undoubtedly was one of the 233, and ſo far from being aſhamed of it, it was his boaſt and his pride, but he could not ſubſcribe to the idea, that having by that vote aſſerted a general propoſition, that therefore he was bound down to ſupport every meaſure that ſhould be propoſed, with a view to diminiſh the influence of the crown, whether the meaſure ſo propoſed appeared to him to be a wiſe meaſure or not. He had already ſtated that he had oppoſed the former bill of Mr. Dowdeſwell, and he would tell the honourable gentleman who ſpoke laſt, one great ground of objection to the preſent bill, which ſtruck him, and that was, the very ground on which the honourable gentleman had reſted his argument, to prove that he ought to ſupport the bill, viz. becauſe it went to attack the rights of electors. He had no manner of objection to purging that Houſe of the influence of the Crown as much as poſſible, they had a right ſo to do, and it was wiſe and proper; but he did not feel that he had any right to diſfranchiſe a large body of the electors, without a cauſe ſufficiently ſtrong to warrant ſuch a violent ſtep, being firſt ſhewn. An Engliſhman's franchiſe was his beſt privilege, and he ſhould never be very willing to meddle with it.

Mr. *Rolle* aſſerted that the revenue officers were under the influence of the crown, which was often exerted againſt independent gentlemen in a very violent manner. In order to ſupport the aſſertion, he inſtanced a caſe in which his father had been greatly injured by it. His father, he ſaid, had ſerved a certain borough in Devonſhire for two Parliaments, and his grandfather before him. When his father came to ſtand at the third election, he found a court candidate ſent down to oppoſe him, and in conſequence of the great exertion of the influence of the crown againſt him, he loſt his election. The court candidate carrying it merely by the majority occaſioned by the great number of revenue officers, who had by mandate from the miniſter, been forced to vote againſt him.

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The *Solicitor General* began his ſpeech with declaring it had given him extreme pain to ſee a worthy Baronet, and a very good friend of his, who was as independent, as honeſt, and as reſpectable a character as any within thoſe walls, treated in ſo unfair and unhandſome a manner, as to have a reſolution of the Houſe on a former night, and which had no relation whatever to the preſent queſtion, read upon his ſpeech. The honourable Baronet, nor no man elſe, was bound, by that reſolution which had been read, to vote for the preſent bill. It was not true, neither was it candid to argue that every gentleman who made that majority of 233, ſtood pledged to the people of England, to vote for the preſent bill, or for any other meaſure introduced under the pretext that it was a meaſure calculated to diminiſh the influence of the crown. With regard to the bill, he thought it a very violent attack on the conſtitutional rights of the ſubject, an attempt to disfranchiſe a large deſcription of electors, without any reaſon whatever. Gentlemen had ſaid, it would be a boon to the revenue officers, and a great favour. Where was the proof of that aſſertion? Had the officers of the revenue aſked any ſuch favour of the Houſe? Where were their petitions ſtating that they wiſhed to have ſuch a boon granted them? He did expect, before gentlemen went ſo far as to make ſuch aſſertions, not one ſyllable of which he could poſſibly credit, that they would in common decency have endeavoured to ſupport their aſſertions by proof of ſome ſort. The Solicitor added ſeveral very able arguments againſt the bill, declaring, that he moſt certainly would vote againſt it.

Mr. *T. Townſhend* argued very ſtrenuouſly in defence of the bill. He ſaid the influence of the crown over revenue officers, was notorious. That there was not a gentleman who had ever had a conteſted election at a ſea-port town that had not felt the effects of it. He mentioned the mandates of the miniſter at election times to thoſe officers as much more cruel and unjuſt than the purport of the bill, which he contended was a boon, and not an injury, to the deſcription of men in queſtion. He reminded Lord Beauchamp of a tranſaction relative to the borough of Orford, in order to convince him that the influence of the crown over boroughs did exiſt, aſſerting at the ſame time, that the treaſury had disfranchiſed that borough merely to oblige a particular family in whoſe hands it now was. And as a farther proof of the crown's uſing its influence in boroughs, where the election was almoſt wholly carried by the votes of

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revenue officers, he mentioned the frequent change of the ſeats of the members who repreſented the cinque ports, inſtancing the ſecretary at war, who in the laſt Parliament had repreſented Harwich, had then ſkipped away to Haſtings, and he ſuppoſed at the next election would travel ſtill further, declaring that it was a rule with the crown never to let a natural intereſt ariſe between the repreſentative of one of their boroughs and the repreſented, but to move the member by the time his conſtituents became acquainted with him.

Mr. *John Johnſtone* and Mr. *Dempſter* in ſhort ſpeeches ſupported the bill, on the ground of its being directly and ſtrictly conformable to the petitions of the people.

Mr. *Pitt* in a few words contended, that the preſent bill was ſuch as he approved, becauſe it immediately grew out of the principles of the conſtitution.

Lord *Onſlow* ſpoke in favour of the bill likewiſe.

Sir *Adam Ferguſſon* objected juſt on the oppoſite ground to that taken by Mr. Pitt, whom he reſpectfully termed the very eloquent gentleman. Sir Adam ſaid, he had examined the bill very carefully, and had endeavoured to ſee if he could trace in it one idea conſtitutionally founded, but that his ſearch was in vain. He reprobated the doctrine, that thoſe who voted for the reſolution of Thurſday laſt, ſtood pledged to the people to vote for this bill, as neither liberal nor juſt. He pointed out the great injury that the bill was built upon; and ſaid, he was convinced if the crown had the influence over the officers of the revenue, which had been ſaid, it was rarely if ever exerted, or in the courſe of the debate ſome glaring inſtances of it would have been ſtated; for theſe reaſons he ſhould give his vote againſt the bill.

Sir *William Meredith* and Sir *George Yonge* both ſpoke in favour of the bill.

Sir *Matthew White Ridley* ſaid, he had ſtood a conteſted election at the large town of Newcaſtle, in and near which there certainly were a great number of revenue officers, who were voters, but that he had not perceived any marks of that influence which had been ſo much talked of in the courſe of the debate. He ſaid he was one of the 233 majority, but he did not hold himſelf bound by his vote of Thurſday laſt to vote for the preſent bill, or any other which he ſhould not approve. With regard to the bill, it appeared to him highly objectionable. He ſtated that there was other influence beſides

beſides the influence the bill affected to diminiſh. The influence of the crown was more exerted in the dock-yards of Hampſhire, than over the revenue officers. He ſaid he had lately been at the launching of a 74 gun ſhip, and on aſking who was to command her, he had been told the mayor of Huntingdon, who was to have gone out with Sir George Rodney, but kept at home to have the new ſhip. This ſort of influence appeared to him a much fitter object for Parliamentary diminution, than the influence the preſent bill was deſigned to correct.

Lord *Hinchinbroke* roſe to explain the circumſtance relative to the 74 gun ſhip, and ſaid the honourable gentleman a little miſtook the matter; the captain appointed to the command of that ſhip was not the mayor of Huntingdon, he was an alderman of that town, and might have paſſed the office of mayor, but he was alſo a very reſpectable officer, Sir Richard Bickerton, who had been too ill to go with Sir George Rodney.

Sir *Richard Worſley* declared, he had lately ſtood an election for the county of Southampton, but that he did not feel that influence among the men in the dock-yards, which the honourable Baronet had ſpoken of. Sir Richard aſſigned his reaſons, for diſapproving of the preſent bill.

Mr. *Fox*, with his wonted ability, ſupported the bill, and anſwered the various objections that had been made to it. He told Sir Matthew White Ridley, that he had never been oppoſed by a court candidate, or he would have felt the weight of that influence the preſent bill was deſigned to correct. With regard to the honourable Baronet who had lately ſtood a conteſt for Southampton, he verily believed he had not felt the influence of the crown ſufficiently, that was ſufficiently for his purpoſe; if he had, he moſt certainly would at that moment have been the repreſentative of the county. He ſaid it did not follow that the influence of the crown did not exiſt in the county. He had loſt his election, —Why? Becauſe the whole county, exaſperated at the frequent exerciſe of that influence, had leagued together to oppoſe it. This argument he applied alſo to the declaration made by various ſpeakers yeſterday and the preceding day, that the majority which carried the queſtion on Thurſday laſt, was a plain proof that the influence complained of did not exiſt. Mr. Fox took up this upon the reverſe of the propoſition, and ſaid, the numbers that were leagued to-

gether to diminiſh that influence, proved that it did exiſt, and that to ſuch a degree as to require a great majority to form a league for its deſtruction. So with the league againſt Venice: it never had been ſaid that the republic of Venice was weak, becauſe the league againſt it was formidable. On the contrary, the formidableneſs of the league was always admitted as an unanſwerable proof of the power of the republic. Mr. Fox with great ingenuity turned ſeveral other arugments of the oppoſers of the bill againſt them.

Lord *North* replied to Mr. Fox's alluſion to the league againſt Venice. He ſaid the honourable gentleman alluded, he ſuppoſed, to the famous league of Cambray, a league formed by the firſt and moſt powerful men in Europe, men of the greateſt talents and moſt diſtinguiſhed abilities, but men who had formed their league upon wilful miſrepreſentations, and the apprehenſions unjuſtly raiſed in the minds of the people. The powers who made the league were the King of Arragon, the Emperor, the King of France, and the Pope. Their object was the obtainment of the poſſeſſions of the republic of Venice. Their league ended in a diviſion of the ſpoil. One power took poſſeſſion of one port, a ſecond of another, a third of another, and a fourth of another; till after ſeizing the various ports of the republic [Mr. Fox called out the cinque ports of Venice!] the cinque ports, if gentlemen chuſe it, they fell out among themſelves, and the bad principles of their league, their own mercenary and intereſted motives came out, and they met with that univerſal contempt and deteſtation which ſuch men, and all who form ſuch leagues, well deſerve. His Lordſhip followed this with arguments, that the bill was unconſtitutional, violent, and unjuſt. In the courſe of his ſpeech, he rallied oppoſition on their conduct ſince they had been a majority, and imputed all their haſte, violence, and error, to their being unacquainted with the manner in which the majorities of that Houſe were uſed to act. He repeatedly threw out, that he had reaſon to think from the honourable gentleman's ſpeech, that he ſhould that evening have the honour to be in a majority again.

Mr. *Burke* replied.

Beſide the above-mentioned ſpeakers, in the courſe of the debate Mr. Rous, Mr. Byng, and Mr. Spencer Stanhope, argued in favour of the bill; Mr. Jenkinſon, Mr.

Mr. Greaves, Sir William Bagot, and Sir John Wrotteſley againſt it.

At a quarter paſt ten the Houſe divided, when the numbers were, Ayes 195, Noes 224, beſide two tellers on each ſide. The bill was therefore thrown out.

April 14.

Lord *Beauchamp* moved, that the Houſe do reſolve itſelf into a committee, in purſuance of the notice given by him the preceding day, that he meant to bring in a bill for permitting the planters and others in the iſland of Grenada and the Grenadines to export their produce to Great Britain in neutral bottoms. His Lordſhip obſerved, that a like favour had been already granted to the inhabitants of Dominica, and endeavoured to ſhew how much better entitled the inhabitants of Grenada were to the indulgence alluded to than thoſe of Dominica. The former had made a vigorous defence, had hazarded every thing, and by their ſpirited conduct created ſuch a reſentment in the breaſts of their enemies, that they would give them no terms. In particular they reſiſted one propoſition with the utmoſt contempt, that was, that they ſhould promiſe not to remit or pay any of the debts they owed to the people of this country. On the other hand, the inhabitants of Dominica made little or no reſiſtance, but ſurrendered upon terms greatly advantageous to themſelves—the ſending their effects to Great Britain in neutral bottoms, the full ſecurity and protection of the free enjoyment of their religion and property, and even as far as, in caſe the iſland ſhould be retained by France at the concluſion of the war, the enjoyment of their laws, cuſtoms, and municipal immunities.

Dominica was already in poſſeſſion of the favour now aſked for Grenada, and he preſumed the Houſe would not be againſt, at leaſt, putting them upon an equal footing.

The Houſe then reſolved itſelf into a committee, to conſider of the noble Lord's propoſition, Sir Charles Bunbury in the chair.

Sir *George Yonge* ſaid a few words, reſerving his opinion, till the propoſition ſhould come in the ſhape of a bill.

The Houſe being reſumed, Sir Charles reported the reſolution, which was, that leave be given to bring in a bill, to permit the produce of the iſland of Grenada to be exported to Great Britain in neutral bottoms.——A bill was ordered to be brought in purſuant to ſaid reſolution.

Colonel *Barré* ſtated ſeveral ſtrong facts to the Houſe, complaining that the orders iſſued for the production of papers and accounts had not been complied with. He inſtanced this in the pay-office, the navy, the office of chamberlains of the exchequer, &c. In the laſt office in particular, the return was 52l. per annum, without fees, whereas it was well known that the ſalary and fees together amounted to nearly 700l. a-year; two of the chamberlains were nearly related to the noble Lord in the blue ribbon. He had applied to the noble Lord for his aſſiſtance; the noble Lord had promiſed it. He would not now ſay how far the noble Lord had kept his word; but this he would ſay, that he thought it a little extraordinary that the noble Lord, being ſo nearly concerned, both as a man and a miniſter, ſhould permit ſo groſs an impoſition to be put on the Houſe.

What again was the return of the pay-office? (we preſume he meant the treaſurer of the navy-office) None of the fees of office received by the pay-maſter were ſtated in the return; but ſome of the fees received by the inferior officers were, in particular that of the deputy pay-maſter, which, within the laſt twelve months amounted to 5762l.

There were other fees omitted in the return, of which he was well informed. The clerks never, he underſtood, paid odd pence, and thoſe who paid the navy bills had a ſhilling in every guinea, which they ſtopped as a perquiſite. In ſhort, the accounts produced anſwered no other purpoſe whatever but to puzzle and diſtract thoſe who took the trouble to peruſe them.

Lord *North* ſaid, his ſon was one of the chamberlains of the exchequer; there were fees moſt certainly received in that office, but perhaps they might not be entered as ſuch. The ſalary was 52l. a-year; but the perquiſites were not ſo much as the honourable gentleman had ſtated; he underſtood, that ſalary and perquiſites together, did not amount to more than 500l. per annum.

He, however, highly diſapproved of the return—no perquiſites, when it was well known, that perquiſites were really and openly received. It muſt, indeed, have proceeded from neglect, for he was perſuaded it could not have proceeded from deſign.

Mr. *Ellis*, (treaſurer of the navy) endeavoured to explain the matter ſo far as it related to his office. The purport of what he ſaid was merely this, that he called all his clerks together, ſhewed them the accounts; aſked them if they

they approved of the manner in which they were drawn up? They replied in the affirmative, and then he ſigned them.

Lord *Newhaven* enumerated a long liſt of accounts which he had moved for, every one of which had been either evaded or not produced.

Sir *Grey Cooper* took fire at this: ſaid the noble Lord was ignorant of what he moved for, or the proper mode of moving for the accounts he wanted. As to the neglect of returning the fees of the chamberlains of the exchequer, he ſuppoſed they were received by the deputy chamberlain, and ſo handed over by him to the principal. He ſaid, the treaſury was not a board of receipt, and, conſequently, if there was any neglect, it was not imputable either to that board or the ſecretaries.

Lord *Newhaven* was equally warm in reply; he ſaid, he thought he underſtood accompts, at leaſt as well as the honourable Baronet, and was proceeding in the ſame ſtrain, but called to order by the Houſe, as was Sir Grey, who roſe to anſwer him, and made uſe of ſeveral ſtrong expreſſions; here the affair ended.

Lord *George Gordon* preſented a petition againſt the act paſſed in the 18th of his preſent Majeſty, in favour of the Roman Catholics, from the town of Folkſtone, in the county of Kent. He then produced a great bundle of papers, which he was preparing to read. The Houſe teſtified a very full and complete diſapprobation of the noble Lord's budget; but his Lordſhip ſeemed reſolved to perſiſt in laying his precious documents before the Houſe. It was at length ſuggeſted to him that the Speaker was indiſpoſed: his Lordſhip then made ſeveral handſome apologies to the chair, and ſat down without giving the Houſe any further trouble.

Mr. *Dunning* now roſe, and ſaid he was ſorry to underſtand that his learned friend in the chair was indiſpoſed. He knew the temper and diſpoſition of his learned friend too well, to ſuppoſe that ſuch an intimation would come from him as long as he was able to keep his ſeat; but as he was about to propoſe a matter of the firſt conſequence, and what from its nature might be productive of a protracted debate, he would be glad to know, before he proceeded on the buſineſs, whether his learned friend was in ſuch a ſtate of health as would permit him, without doing himſelf an injury, to do his duty.

The *Speaker* roſe and informed the Houſe, that he was indiſpoſed, and had been ſo for ſome time; but, notwithſtanding that he was ready to do his duty, ſooner than impede or retard the public buſineſs.

Lord *John Cavendiſh* paid him many handſome compliments, and acknowledged the high obligations which that Houſe owed him for his manly and independent conduct, for his unremitting attention to the duties of his office, and his abilities in the ſtation which he had filled for ſo many years in that Houſe. Probably a receſs from the inceſſant toils and labours attending his office might prove the means of once more reſtoring his ſervices to that Houſe and the public. An adjournment was the only means—ſuppoſe for a week, or till Monday ſe'nnight.

The *Speaker* then roſe; ſaid, that for the laſt day or two he had been extremely ill, and was far from being well for ſeveral months paſt. The conſtant attention to the diſcharge of his duty had greatly impaired his health; he was too full of gratitude and regret for paſt favours, and the apprehenſion that he muſt decline thoſe ſervices which it was at once his pride and duty to render to that Houſe. He was advanced in years; he was in a bad ſtate of health; he feared the time neceſſary to the reſtoration of it, ſhould that happen to be the caſe, would be much longer than the public exigency of affairs would permit, and he therefore hoped the Houſe would not impute to him any want of attention to the public ſervice, any want of reſpect to them, if he ſhould decline any longer remaining in a ſituation in which he could not render himſelf ſerviceable, or anſwer the end of his appointment. He did not mean to anſwer for events, but this he muſt in candour acknowledge, that he much doubted whether his longer ſitting in that chair would anſwer the expectations of the Houſe.

Lord *North*, after paſſing ſeveral compliments on the Speaker, obſerved, that there was a vaſt deal of buſineſs before the Houſe, which it would be extremely detrimental to the public to poſtpone. He hoped the learned gentleman had no real thoughts of reſigning; but if he had, nor could not think of remaining longer in his preſent ſituation, he thought it would be very proper for the Houſe to know it in time. He truſted, and ſincerely wiſhed that would not be the caſe; ſuppoſe, therefore, inſtead of Monday ſe'nnight, that the Houſe ſhould adjourn to Wedneſday next.

Mr.

Mr. *Dunning* then roſe and moved, that at the riſing of this Houſe, it do adjourn till Monday ſe'nnight. He made this motion, he ſaid, in expectation that his learned friend would, on that day, be able to fill that chair.

The *Speaker* again roſe, and gave the following narrative of his illneſs: That he had been taken ill late in the month of February laſt with a very ſevere cold, as he thought, the effect of which was a ſevere cough, by which, at times, he was near being ſtrangled or ſuffocated. He was in good health, and ſeemingly of a ſound conſtitution, when he took that chair, and for the moſt part ſo till the period mentioned. His conſtant attendance there prevented him from taking medicine; for his phyſician, while he continued in the conſtant performance of his duty, thought medicine might be dangerous, but could adminiſter no effectual relief. He continued in this ſtate of health till the riſing of that Houſe before the Eaſter receſs. He ſhould have added, that his phyſician told him that it was a gouty complaint. He muſt confeſs, that he was almoſt worn out and exhauſted before the receſs, though he endeavoured anxiouſly to conceal it from that Houſe.

The receſs in ſome meaſure reſtored him; but, as his phyſician informed him, the ſame diſorder returned, though in a different way. The firſt day after the receſs he was again attacked with a ſevere cold, which affected him on one ſide of his head, and continued gradually to increaſe till within the two laſt days, when it aroſe to a degree no longer to be borne, conſiſtent with the proper diſcharge of his duty to that Houſe. His phyſician had informed him, that it was the return of the ſame gouty matter which had again attacked him, though in a different part. He could undertake to promiſe nothing; but by what he could judge from his own feelings, he feared that he muſt decline his preſent ſituation. The noble Lord in the blue ribbon he was much obliged to; but he was perſuaded that a delay of one or two days would not put him in a ſtate, or enable him to reſume that chair.

General *Conway* ſaid the ſeaſon was ſuch as would not admit of delay; that there were ſeveral matters of infinite conſequence before the Houſe, which muſt all ſtand ſtill, particularly a motion promiſed to be made by an honourable gentleman, reſpecting America, which ſtood for that day; if therefore the learned gentleman's ſtate of health would not permit his attendance, he doubted not but there were precedents

which provided for the indiſpoſition of a ſpeaker, by appointing one *pro tempore*; if ſo, he wiſhed moſt ſincerely that thoſe precedents might be reſorted to in the preſent inſtance, by which means the buſineſs of the nation would not ſtand ſtill, and that Houſe might again avail itſelf of the ſervices of the learned gentleman.

Lord *North* ſaid it was neceſſary to know, whether the learned gentleman, ſhould the adjournment be put off till Monday ſe'nnight, had reaſon to believe that he would then be ready to attend his duty, becauſe if he was, however inconvenient it might be, he ſhould agree with chearfulneſs to the motion now made; if, on the other hand, there ſhould be no ground for any ſuch expectation, he thought no time ought to be loſt in the preſent preſſing exigency of public buſineſs.

Sir *George Yonge* ſaid, that a delay of a few days could be of no great conſequence; that the Speaker's health might be reſtored, and that his return to that chair, would be an ample compenſation for the delay. Mr. T. Townſhend and Mr. Fox, ſaid a few words to the ſame purpoſe.

Mr. *Eden* ſaid, that there was a bill which paſſed that Houſe, for opening certain ports in America, which would be returned on Monday from the Lords; that if the Houſes ſhould adjourn over that day, the ſhips now bound to America would be delayed for ſeveral days, and loſe the opportunity, much to the detriment of the merchants, and the public in general.

Sir *George Yonge* ſaid, this would deſtroy the intended indulgence, for it was he introduced the bill alluded to, the other Houſe had not only delayed paſſing it, but had introduced ſeveral amendments into it. He knew the amendments, and for one would oppoſe them. If he ſpoke, another might ſpeak, and that might be productive of debate, conſequently the meeting on Monday would totally defeat the indulgence propoſed.

Mr. *Alderman Hayley* confirmed what had been advanced by Mr. Eden relative to the ſailing of the trade fleet to America.

Lord *North* at length ſettled the matter, by ſaying that he would grant a warrant from the treaſury, and he ſuppoſed the merchants would truſt to that aſſurance. The Houſe was accordingly adjourned to Monday the 24th inſtant.

April 24.

A bill for opening the port of New-York, and allowing a free importation from this country to New-York, in like manner as if the prohibitory act had never paſſed, being brought back from the Houſe of Lords with ſome amendments,

Governor

Governor *Pownall* roſe, and begged to call the attention of the Houſe to a matter of great importance to the trade of this country, and to its firſt commercial intereſts. He then ſtated that he had been honoured with the directions of the Houſe to prepare and bring in a bill for the purpoſe aimed at by the bill brought back at that moment from the Lords; that a rough draft of a bill, containing what he ſuſpected would be attempted, and what, by the amendments made by the Lords, he now ſaw had been attempted, was preſented to him; this was no other than an endeavour to put the trade from Great Britain to New-York under military government, and ſubject it to the caprice of a military officer, whether a commander in chief, a captain, or even a lieutenant, or, in ſhort, any officer, who happened from accident, to have the command at the port for which the goods ſhipped from Great Britain were cleared out; that the moment he read the rough draft containing ſuch a purport, as he had ſtated, knowing that it was by no means conſonant to the ſentiments of the Houſe, when they directed him to prepare and bring in a bill, he inſpected it and prepared that bill, which had paſſed the Houſe almoſt without alteration, but in which the Lords had made amendments tending to alter its nature, and pervert it in the way he had mentioned. This he conceived to be a matter of great importance, and a matter well worthy the ſerious notice of the Houſe; he ſhould therefore move, that the amendments be printed, and that they be taken into conſideration the firſt open day.

Sir *George Yonge*, Mr. *Dempſter* and others, ſpoke on the occaſion, each of them concurring with Governor Pownall as to the importance of the matter opened by him to the Houſe. In order to avoid interrupting the material buſineſs expected to come on, it was argued not to print the amendments, till they had been deliberately read by the clerk, in order that the Houſe might judge how far it became them to print them, and what was the next ſtep fit to be taken reſpecting them. Thurſday next was the day fixed on for taking the amendments made by the Lords into conſideration.

After a variety of common buſineſs, the order of the day was called for, when the *Speaker* roſe in his chair, and returned his hearty and ſincere thanks to the Houſe for their repeated kindneſſes to him, during the time he had the honour of holding the diſtinguiſhed ſituation to which they had elected him, but moſt particularly for their late very great indulgence to him, and the manner in which it had been granted. The latter, he ſaid, had made ſo deep an impreſſion on his mind,

that

that he truſted it never would be eraſed; and he did aſſure the Houſe in conſequence of it, that the very ſerious and important public buſineſs then before them ſhould have no farther interruption on his account, being determined contrary to the wiſhes of his friends, and contrary to the advice of his phyſicians, to perſevere at all hazards in the diſcharge of his duty, at leaſt for the preſent ſeſſion, provided he found himſelf at all capable of undergoing the laborious fatigues of his office, and as long as his ſervices ſhould prove acceptable to the Houſe.

Mr. *Dunning* began with complimenting the Speaker on the recovery of his health, declaring, that the circumſtance gave him as much ſatisfaction as he ſhould have felt, had he propoſed and carried the queſtion on Friday ſe'nnight, which he then meant to propoſe, and which he then hoped he ſhould carry; he ſaid further, that he had other reaſons to be well pleaſed that he had not propoſed any queſtion at the time to which he alluded, or on the day preceding, when another bill, brought in by an honourable friend of his, had been under diſcuſſion, and which bill, although the Houſe had for reaſons which had doubtleſs appeared to thoſe who voted againſt it, ſufficiently cogent and convincing, thought proper to reject it, he could not but conſider, as tending materially to forward the object he had in view, in one inſtance at leaſt, and that no inconſiderable one, and therefore, if his honourable friend would give him leave, he would then pay his tribute of thanks to him, for having brought it in. He ſaid, he had more than once in the courſe of the day, on which his honourable friend's bill was under diſcuſſion, thought of catching the Speaker's eye, but that he had forborne his intention, and he was now glad he had ſo forbone it, becauſe having heard the doctrines that had been delivered in the courſe of that day, and having ſince learnt the fate of another bill in another Houſe of Parliament, which bill was likewiſe calculated to further the purpoſes of the petitions of the people, he was the better able to judge of the intentions of miniſtry; and ſeeing, that in defiance of the three reſolutions come to by that Houſe on the 6th of April, it was their determination to defeat every meaſure that ſhould be propoſed, in compliance with the prayers of the people, and in conformity to the three reſolutions to which he had juſt alluded, and that, not by any open, manly, uniform ſyſtem, but by ſuch means as ſhould occur either in that Houſe, or elſewhere, he was the better directed what ſteps were moſt adviſeable to take, in order to give the people aſſurance that ſomething more ſhould be done for them, than a bare and *ked reſolution*, that it was neceſſary that ſomething ſhould be

be done for them. It was idle, he ſaid, to flatter the people, and deceive them by an adoption one day, of what was in its firſt conſequence to meet with a rejection the next; much better would it, in his opinion, have been, and much more fair to have given the firſt propoſition a rejection at once, than to have held out falſe hopes, and to have acceded to a promiſe which was never intended to be fulfilled, could the fulfilment of it poſſibly be avoided. In the courſe of the progreſs of the buſineſs he had undertaken, the committee had come to three reſolutions of the firſt and moſt ſerious importance, which the Houſe had afterwards confirmed and ratified. He had next propoſed two more reſolutions to the committee, the one of which they had agreed to without a diviſion, and the other had been carried by a majority upon a diviſion. So far the proſpect was fair and promiſing, but ſince the two bills of his two honourable friends had been got rid of, (one by a rejection in that Houſe, and the other by a rejection in the other) it became highly neceſſary to know whether his endeavours were to turn out promiſing in the beginning only to make the failure in future more certain. It had been objected, on thoſe bills being argued and debated, that neither of them would completely anſwer the prayers of the petitioners; moſt certainly neither of them would, no ſuch extraordinary merit had been imputed to them either by the honourable gentlemen who brought them into that Houſe, or by any of their friends. The truth was, it was incumbent upon that Houſe to build ſomething on the petitions of the people. The foundation of the building was laid by the three reſolutions being carried on the 6th of April. The two bills which had been ſince rejected, were deſigned as parts of the fabrick; ſuch other propoſitions as he ſhould think it became him to offer to the conſideration of the committee, or that any other member might think it became them to offer, would be offered as additional parts of that fabrick. The whole ſuperſtructure could neither be erected all at once, nor by any two, three, or four motions. As parts of it, and thoſe very eſſential parts, he conſidered the three bills then in agitation; the remnant, by no means an inconſiderable one, of the bill for the regulation of the civil eſtabliſhment brought in by an honourable friend of his, to whoſe plan all ſides of the Houſe had concurred in attributing great merit; another bill, brought in, or to be brought in by another honourable gentleman, under the denomination of a place-bill; and the favourite plan of the noble Lord in the blue ribbon, the bill for a commiſſion of accounts. Theſe three bills, or ſuch parts of them as paſſed, would, as he had before

gether to diminiſh that influence, proved that it did exiſt, and that to ſuch a degree as to require a great majority to form a league for its deſtruction. So with the league againſt Venice: it never had been ſaid that the republic of Venice was weak, becauſe the league againſt it was formidable. On the contrary, the formidableneſs of the league was always admitted as an unanſwerable proof of the power of the republic. Mr. Fox with great ingenuity turned ſeveral other arugments of the oppoſers of the bill againſt them.

Lord *North* replied to Mr. Fox's alluſion to the league againſt Venice. He ſaid the honourable gentleman alluded, he ſuppoſed, to the famous league of Cambray, a league formed by the firſt and moſt powerful men in Europe, men of the greateſt talents and moſt diſtinguiſhed abilities, but men who had formed their league upon wilful miſrepreſentations, and the apprehenſions unjuſtly raiſed in the minds of the people. The powers who made the league were the King of Arragon, the Emperor, the King of France, and the Pope. Their object was the obtainment of the poſſeſſions of the republic of Venice. Their league ended in a diviſion of the ſpoil. One power took poſſeſſion of one port, a ſecond of another, a third of another, and a fourth of another; till after ſeizing the various ports of the republic [Mr. Fox called out the cinque ports of Venice!] the cinque ports, if gentlemen chuſe it, they fell out among themſelves, and the bad principles of their league, their own mercenary and intereſted motives came out, and they met with that univerſal contempt and deteſtation which ſuch men, and all who form ſuch leagues, well deſerve. His Lordſhip followed this with arguments, that the bill was unconſtitutional, violent, and unjuſt. In the courſe of his ſpeech, he rallied oppoſition on their conduct ſince they had been a majority, and imputed all their haſte, violence, and error, to their being unacquainted with the manner in which the majorities of that Houſe were uſed to act. He repeatedly threw out, that he had reaſon to think from the honourable gentleman's ſpeech, that he ſhould that evening have the honour to be in a majority again.

Mr. *Burke* replied.

Beſide the above-mentioned ſpeakers, in the courſe of the debate Mr. Rous, Mr. Byng, and Mr. Spencer Stanhope, argued in favour of the bill; Mr. Jenkinſon, Mr.

virtue run mad, and that it was the fit moment for that Houſe to exert its authority, and to ſtand in the gap between the people and the crown. He ridiculed theſe expreſſions as indecent to the Houſe of Commons, and dangerous in their conſequences. If the Lords did ſtand in the gap, as the noble Earl had phraſed it, between the people and the crown, in a moment, when the people were juſtly complaining of the undue influence of the crown, and in a moment when the Houſe of Commons had ſolemnly reſolved, that the influence of the crown was increaſing, and had increaſed to a degree that required diminution, what might follow ſuch an ill-timed interference, appeared to him in too dreadful a point of view to bear diſcuſſion, he would therefore paſs it over, and leave it to all who heard him to picture it to themſelves.

He alſo noticed, in the courſe of his ſpeech, Lord Nugent's declaration, that what was offered in the view of remedying the grievances of the people, were mere quack-medicines, calculated rather to deſtroy the patients than to cure their complaints; and referred his noble friend to a poem, which he ſaid he had formerly read with great pleaſure, in which the principles of the poet did him ſo much credit, and were ſo juſt, that they almoſt diſtanced the praiſe due to his poetry, but with the ſuperadded beauty of his numbers made the whole an invaluable compoſition. The work he alluded to, he preſumed the noble Earl had peruſed, and every gentleman who had heard him. He meant the poem entitled An Ode to Mankind, and which was directly the reverſe in all its doctrines reſpecting the rights of mankind, of thoſe doctrines which the noble Earl had lately held in that Houſe, relative to the influence of the crown, and the rights of the people.

Obſerving that the Houſe was more than commonly full, he ſaid he was glad to addreſs an aſſembly ſo crouded, and though he applauded the induſtry of thoſe who had even fetched patriots from the other ſide of St. George's Channel, where they were engaged in diſcuſſing meaſures for the preſervation of Ireland [alluding to Sir John Irwin and Lord Drogheda, who were in the Houſe for the firſt time ſince the 6th of April] and brought officers of the navy and army from their profeſſional duties to their duty within thoſe walls [alluding to Lord Mulgrave, Captain Phipps, and others] he hoped the new comers would ſhew their zeal for their country, their regard for the people, and their abhorrence of undue influence by voting for the motion, and that the 233 of the ſixth of April would cut a ſtill more reſpectable figure by the addition of twenty or thirty, and the miniſters would

be

be convinced by the iſſue of that day's buſineſs, that the majority were not the rope of ſand which they had been deſcribed to be.

Mr. *Dunning* mentioned the turn that Lord North had given the accidental mention of the league of Cambray by Mr. Fox, complimenting his Lordſhip on his pleaſantry on the occaſion, declaring it to be a fair advantage, and owning he dreaded his wit, becauſe he regarded it, as one of the moſt powerful engines in the hands of the noble Lord. He denied, however, that the ſimilarity held between the leaguers within thoſe walls and the leaguers againſt the republic, declaring, that neither he, nor he believed any one of the numerous friends with whom he acted, were ſtimulated by any views of ſharing the ſpoil, or dividing the plunder to be obtained by diſplacing the preſent adminiſtration. He concluded the whole with preſenting his motion, which was read to the Houſe by the Speaker.

Mr. *T. Pitt* then roſe, and in a very pathetic addreſs conjured the Houſe, as they loved peace at home, as they wiſhed for unanimity and concord among the people, as they hoped to profit by that budding confidence in Parliament which had appeared ſince the 6th of April to concur in the motion. He read to the Houſe the reſolutions agreed to by a meeting of the gentry, clergy, and freeholders, of the county of Cambridge, held at the Shire-hall on the 10th inſtant, in which it was ſtated, "that the committee who had been appointed to prepare a plan of aſſociation on legal and conſtitutional grounds, had received authentic information, that the general allegation of the petitions, reſpecting the influence of the executive power over the repreſentatives of the people, had been taken into conſideration, and admitted, by the Commons of Great Britain, in Parliament aſſembled, as juſt and well founded; and that the Commons had reſolved, that the increaſed and increaſing influence ought to be diminiſhed; and as that reſolution was followed by others tending to a laudable reform, the Committee deſirous of ſhewing a proper reſpect to the deliberations, and of placing a due reliance, &c. on the diſcretion and integrity of the repreſentatives of the people, had, for theſe reaſons, declined for the preſent propoſing any plan of aſſociation, ſincerely truſting the Houſe of Commons, having made ſo noble a beginning, would be animated with a zeal to perſevere in deſerving the higheſt confidence and the warmeſt thanks of their conſtituents and fellow-ſubjects." This mode of conduct, Mr. Pitt ſaid, had given

given him the moſt exalted ſatisfaction, but that joy would be converted into the deepeſt ſorrow and the bittereſt anguiſh, if the Houſe, inſtead of availing itſelf of this happy turn of mind in the people, ſhould blaſt their growing confidence in the bud, and by refuſing to go on in meaſures calculated to encreaſe their confidence, ſhould kindle up that flame of indignation and reſentment, which would in all probability burſt out with irreſiſtable fury, and overwhelm government, if the people were forced to imbibe the opinion, that what had been done, was meant merely to deceive them, and that from the beginning it was not intended to afford them the leaſt ſerious redreſs. Mr. Pitt proteſted in the moſt ſolemn manner, that he ſpoke the real ſentiments of his ſoul; he had no object but the general quiet of his country, and a wiſh to reſtore it to its former greatneſs. Whatever views of ambition he might formerly have entertained, he did aſſure the Houſe they were long ſince dead in him. Place, emolument, and power, had loſt their charms in his ſight, and nothing could tempt him to abandon his domeſtic retirement, and the happineſs of his home, to come down to that Houſe debilitated as he was by illneſs, infirm, and ſcarcely able to ſupport the fatigues of Parliamentary attendance; but an earneſt wiſh to contribute towards averting the horrid proſpect before him, towards ſaving his apparently devoted country, from the ruin that ſeemed to hang over its head, and by reſcuing it from a ſecond civil war to enable it to carry on the foreign war, in which it was involved at preſent, with that degree of vigour and exertion which could alone ariſe from unanimity among ourſelves, and from which ſucceſs could only be expected. Mr. Pitt, as a further inducement to the Houſe to agree to the motion, painted the horrors of popular rage in a moſt ſtriking point of view, and aſked, when the people were once inflamed, who it was that had power to ſtop them, or could ſay, "Thus far ſhalt thou go and no farther."

Lord *Nugent* declared himſelf an approver of the petitions in ſome points, but not in all. His Lordſhip ſaid, he had all along declared that the people ought to have redreſs of their grievances; but it was incumbent on that Houſe to examine deliberately what the grievances were which really exiſted, and which it was within the power of that Houſe to remedy. He thought the influence of the crown did not prevail to a degree which ſhould alarm the people; he had repeatedly declared this, and he ſhould continue to maintain the poſition, let it be ſneered at ever ſo much. The greateſt grievance of all, in his opinion, was the enormous emoluments of certain

offices held under the crown; not places held during pleaſure, but places for life. Let theſe be reduced! Let them be taxed, ſo as to derive a conſiderable revenue to the ſtate, and leſſen the profit of them to a moderate ſize. Propoſe this meaſure, and he was confident it would pleaſe the people, and anſwer the end of their petitions in one great and important point. [The oppoſition called out Move! move!] His Lordſhip ſaid, he would not move ſuch a queſtion, but he pledged himſelf to ſecond it whenever it was moved. The taſk of pointing out individuals holding the places to which he had adverted, was an unwelcome one. It would appear invidious and unfriendly. It had been contended, he thought rather unfairly, that every gentleman had concurred in opinion that the petitions ought to be complied with, and yet that all thoſe who ſat on the ſide of the Houſe on which he ſtood, had uniformly oppoſed, and meant to oppoſe, every one motion propoſed in redreſs of the grievances complained of in thoſe petitions. In ſupport of this, an honourable countryman of his [Mr. Burke, when ſpeaking on Mr. Crewe's bill] had pleaſantly applied the old fable of the man, who becoming tired of life, had reſolved to put an end to his exiſtence, but was puzzled in what manner to do it. He had aſked himſelf the queſtion, ſhould he hang himſelf? No—Thieves were hanged, and he would not die like a thief. Drown himſelf? No—he would not die like a blind puppy! Cut his throat? No—that were to die as hogs died, by the knife of the butcher! Poiſon himſelf? No—rats were poiſoned! [A loud laugh at the word *rat*] and ſo not being willing to put an end to his life by any means, that he could recollect, the man lived till nature was exhauſted. His Lordſhip begged not to be included in the number of thoſe who had ſaid the petitions ought to be complied with, and were nevertheleſs determined to agree to no propoſition made with a view to comply with them. He had himſelf ſuggeſted meaſures, and there were other meaſures which might be ſuggeſted that would fully anſwer the deſired purpoſe. The fact was; they had begun at the wrong end, and had propoſed firſt, what ſhould have been the laſt thought of. Go back to the right end and he would go with them. What they had ſuggeſted was every way inadequate and improper. The preſent motion he diſapproved of altogether. He ſhould give it his negative, becauſe it was aſſuming more than belonged to one branch of the legiſlature. What! controul the King's prerogative, and deſire him to do that, which would affect the other Houſe of Parliament, without knowing whether it would be agreeable to them? By no means.

His

His Lordſhip replied to what Mr. Dunning had ſaid, reſpecting the poem entitled the Ode to Mankind, and declared he well remembered that poem, and that the doctrines it contained were perfectly agreeable to his then ſentiments, but not agreeable to the learned gentleman's arguments, or the meaſures propoſed by him and his friends. He alſo deemed the preſent a ruinous war, and ſaid, if not happily put an end to, we ſhould become a bankrupt people, with an exhauſted treaſury, and an impaired conſtitution! He, however, defended the war in its firſt origin as a meaſure in which the legiſlature had concurred. At that time (the origin of the American war) a ſtrange circumſtance in politics was obſervable; the oppoſition was an unpopular oppoſition! His Lordſhip alſo threw out a number of random remarks, ſome of which created laughs, and others challenged many a "Hear hear!" At length he concluded his ſpeech with declaring he ſhould vote againſt the preſent queſtion, which he diſliked, becauſe it ſmelt too ſtrongly of the year forty-one, and called to his mind the violent meaſures which marked our hiſtory ſoon after that period, ſtaining the pages of the hiſtorian with blood, producing the violent death of the prince, and the deſtruction of regal government, and which was followed by a republican ſyſtem of the groſſeſt tyranny that ever a people groaned under.

Mr. *T. Townſhend* roſe in conſequence of what Lord Nugent had aſſerted, relative to reducing the profits and emoluments of certain places held for life under the crown, and ſaid, he preſumed by the noble Lord's giving the Houſe to underſtand, that motives of delicacy to friends prevented him from naming the perſons alluded to, he meant to point at an honourable relation of his. He ridiculed the propoſition on this head, as too frivolous to anſwer any end of real utility, ſince the utmoſt object of it would be the ſaving of a few thouſands, by taking it from thoſe who moſt clearly were not liable to the influence complained of by the people in their petitions, and were not acted upon by it, perhaps to give it to others, who would be acted upon by influence; that therefore, ſo far from removing the evil, or leſſening it, it would be encreaſed. Mr. Townſhend declared, when he ſaid this, he ſpoke from no pitiful idea of preventing ſuch a propoſition from being adopted; if the Houſe ſhould think it wiſe to adopt it, he was ſure his relation, and the other perſons holding the offices alluded to, would be very ready to agree to that or any other and greater ſacrifice they ſhould be called upon to make, provided there was the leaſt proſpect of its conducing to that great

and deſirable end, the quieting the minds of the people, and reſtoring unanimity. Mr. Townſhend then went into a conſideration of the queſtion, and in the progreſs of it brought in the American war, and other topics not immediately analogous to the queſtion. He alſo deſcanted a good deal upon the uſe that the noble Lord in the blue ribbon had made of the alluſion to the league of Cambray, by twiſting it ſo ingeniouſly as to make it apply to a bill calculated to emancipate a large deſcription of the ſubjects, and a number of ſea-port towns, from the tyranny of the treaſury-board. He concluded with urging the Houſe to adopt the motion, unleſs they wiſhed to drive the people to deſperate meaſures.

Mr. *Adam* ſaid, he did not feel the preſent queſtion as tending to ſupport this or the other miniſter in power; it was a queſtion of a higher nature.—Whether this conſtitution, the admiration of the world, and the boaſt of Engliſhmen, ſhould remain as it was, unaltered and unimpaired, or whether we ſhould by innovations, the extent of which we were not made acquainted with, run a riſk of deſtroying it? It was upon that ground alone that he meant to argue the queſtion. He declared, that in what he meant to ſay, he laid aſide every motive but what regarded the conſtitution; that if ever he wiſhed to promote his ambition, if ever he had a deſire for praiſe, and for the eſteem of his countrymen, avarice he truſted he had never felt. He would reſign all his ambition, he would yield up every proſpect or hope of praiſe, in defence of what he thought formed the conſtitution of the country: a conſtitution of which he felt all the advantage, and which he thought formed the happineſs of every individual who lived under it. Having ſaid this, he begged leave to clear the queſtion of all extraneous matter. He did not think with the honourable gentleman who ſpoke laſt, that the American war had any thing to do with it, nor the uſe that had been made on a former day of the league of Cambray, nor the rejection of the contractors' bill in the Houſe of Lords, though there was ſomething ſtrange in the idea of attacking the Houſe of Lords for doing what, as an independent and neceſſary branch of the legiſlature, they had a right to do. That the preſent was a ſimple queſtion of whether you ſhall addreſs the crown to keep Parliament ſitting, till ſuch time as the grievances complained of in the petitions upon the table were redreſſed? He expreſſed great reſpect for the perſons who ſigned thoſe petitions, and thought they were always to be received and attended to. He reprobated in the ſtrongeſt terms the conduct of the Parliament of 1701, *in the* caſe of the Kentiſh petition. He ſaid, that at

that

that time there was introduced into an act of Parliament, very material to the liberties of this country, by fixing the Proteſtant ſucceſſion, a clauſe which prevented any placeman of any kind from ſitting in the Houſe of Commons. That from ſome wayward fancy, or ſome honeſt prejudice, the people of Kent preſented a petition to this Houſe, complaining of the conduct of the patriotic reformers of that time; when, inſtead of receiving the petition, and giving it that due conſideration which it ought to have, the preſenters of it were impriſoned, and the petition declared to be an infringement of the liberty of Parliament.

He ſaid, he had the greateſt reſpect for many of the names ſubſcribed to the petitions, and for many of thoſe that were of the different committees. That they were men of the greateſt rank, the greateſt property, and the firſt abilities. That no intentional danger to the conſtitution could be attributed to ſuch men. But he could not carry his deference to them to ſuch exceſs, as to bind up his own underſtanding and fetter his judgment. He ſaid, it became requiſite, therefore, before he proceeded to the preciſe queſtion before the Houſe, to clear the ground a little with reſpect to the petitions being binding upon Parliament. That this was a doctrine he never could ſubſcribe to; and he believed, if fairly ſtated, no perſon within the walls of that Houſe would ſubſcribe to it. Many people ſay that the petitions muſt be binding; but if you come to examine upon what ground any perſon, the greateſt favourer of the people, makes that aſſertion, it is becauſe he agrees in opinion with the prayer of thoſe petitions. But let us ſuppoſe that thoſe petitions went farther than any perſon in this Houſe thinks they ought to go, to alterations in the conſtitution that we are all agreed in thinking detrimental; ſhould we not all agree that ſuch a petition would not, ought not to bind this Houſe? If that is the caſe, we ought to hear no more of that argument ſo derogatory to the independence of this Houſe that this, that, and t'other thing muſt be done, becauſe it is required by the people in their petitions, but ought to diſcuſs each queſtion upon its ſpecial merits. He then came to the motion, and ſaid it naturally divided itſelf into two heads, to addreſs the crown not to prorogue the preſent ſeſſion, or diſſolve the preſent Parliament. With reſpect to prorogation, he was well aware there were many inſtances of ſuch motions; but with reſpect to diſſolution, not knowing what the motion was to be, he had not had an opportunity of examining the journals as to the precedents; but he believed it was the firſt inſtance of ſuch

a motion, and he was confirmed in that opinion, by the honourable gentleman who made the motion, not taking notice of any precedent. That it was hardly to be ſuppoſed, that a perſon ſo learned in the Parliamentary, as well as the municipal law of the kingdom, would have paſſed it over, if there had been any ſuch. That as to the caſe of 1641, which made the Long Parliament, alluded to by the noble Lord [Lord Nugent] and the honourable gentleman who ſpoke laſt, he did not conceive it to be at all applicable to the preſent purpoſe. The circumſtances of paſſing that act were ſo remarkable, that it was impoſſible to forget it. It was carried to the King for the royal aſſent, along with the bill of attainder of Lord Strafford; and Charles is ſuppoſed to have been ſo much occupied with the cruel neceſſity of giving his aſſent to that bill, that the other paſſed unnoticed.

But they differ in this reſpect: In 1641, it was a bill—this is an addreſs. And they further differ that the ſeptennial act extinguiſhes this Parliament at the end of ſeven years; at that time no fixed duration being appointed for Parliament, that act rendered it perpetual; that is, gave it exiſtence till the grievances of the people were redreſſed, while theſe grievances were in the creation of thoſe who promoted the bill. But he ſaid he did not mean to argue, that becauſe there was no precedent for addreſſing the crown not to diſſolve the Parliament, that therefore we have not a right ſo to addreſs the crown. That right is one of thoſe that he ever would maintain in this Houſe. But the motion was to be adopted with greater caution, on account of its being unprecedented. But, ſays he, it has been argued by the gentlemen who have ſpoke for this motion, as if the rejection of it was to be the cauſe of an immediate prorogation or diſſolution of Parliament; whereas, though this motion is negatived, Parliament may ſtill continue to exiſt: it does not follow in any degree, that becauſe the Houſe rejects this queſtion, that therefore the miniſters of the crown are to adviſe his Majeſty to diſſolve the preſent Parliament, or prorogue the preſent ſeſſion.

But it is neceſſary to conſider what the conſequence of this motion is to be. If you are to redreſs the abuſes complained of, it muſt be done by bill; if that bill is rejected, either in this Houſe, or the other Houſe, it is impoſſible, according to the law of Parliament, to bring that bill back again during the ſame ſeſſion; and therefore no good can ariſe from it; and it is probable that the ſame Parliament that rejects the bill this ſeſſion, will reject the ſame bill next ſeſſion.

But

But as the learned gentleman who made the motion is a much better judge of what will anſwer the purpoſes he has in view, than he [Mr. Adam] could poſſibly be, he ſaid he would ceaſe to diſcuſs the queſtion upon that ground.

He then ſaid it was fair upon a queſtion that relates to Parliament ſitting to redreſs grievances, that we ſhould know the extent of them. What are ſet forth in the petitions are ſimple and intelligible, but the explanation that is given of them, in his opinion, amounted to a total change in the conſtitution.

The petitions prayed for three things,—an abolition of unmerited penſions, of uſeleſs ſinecures, and of the exorbitant emoluments of neceſſary offices. And this they pray for, in order to attain the reduction of influence, and the promoting œconomy. But as theſe petitions are explained by ſaying, they pray for a free Parliament, every ſpecies of alteration of the conſtitution, dangerous, and perhaps deſtructive to the happineſs of the people of England, is brought under this head. Annual Parliaments, and an encreaſed repreſentation, were already propoſed; and if we were to form a calculation of the ſtrides that reformation had taken from the firſt York meeting to the laſt meeting in Weſtminſter-hall, it would be difficult to ſay to what lengths we might go in innovating upon a conſtitution, in which civil and political liberty was more extended, was more complete, than it ever had been in any age or any country. That the liberty of antiquity was narrow and confined when compared with that of this country. In the republicks of ancient times, a few individuals enjoyed perfect freedom, while the great bulk of mankind were the abſolute ſlaves and property of thoſe few. Here ſlavery was unknown, and a complete enjoyment of every valuable right, of every bleſſing ſociety can beſtow, was extended to eight millions of people, unimpaired and unencroached upon. Was it matter of ſmall importance to agree to a motion that might impair this glorious ſyſtem? Had any infringement been made upon the great bulwarks of our liberty, which demanded ſuch an alteration? External grievances had taken place; and the noble Lord below him [Lord Nugent] had given an epithet to the war, which ſufficiently deſcribed the extent of thoſe calamities. But was it wiſe? Was it juſt? Was it reaſonable, to new-model the conſtitution, and run a riſk of deſtroying what our anceſtors had handed down to us, as the firſt of bleſſings? To make internal changes, becauſe we had

external grievances to complain of? Was it to be ſuppoſed that an encreaſed repreſentation, or annual Parliaments, would eaſe us of the neceſſary taxes? Would diminiſh the burthen of the national debt? Or bring about that ſafe and honourable peace, which we muſt all agree in wiſhing to ſee accompliſhed? He then went into the ſubject of teſts, as they had been ſpoken of, and propoſed at ſome of the public meetings; ſtated their unconſtitutional tendency; ſaid, that he had always entertained the moſt perfect conviction, that an obligation to obey the inſtructions of conſtituents, was unconſtitutional. At an early period, when his ſtudies ſhould perhaps have been turned to other ſubjects, (if any ſubject at any time could be ſo important as the ſtudy of the conſtitution) he had formed his opinion, and that no conſideration could ever prevail upon him to alter it. This being the caſe, he reprobated the idea of teſts, as being ſtill more deſtructive of the freedom of Parliament. That the very eſſence of Parliament was the power of deliberation; and that the Houſe ſhould be equally jealous and equally averſe to every thing that deſtroyed that privilege. That its conſequences were equally detrimental, whether it flowed from the undue influence of the crown, or the undue influence of the democracy. That it was the buſineſs of every man who loved the conſtitution, to reprobate every teſt that fettered Parliamentary freedom. [Here Mr. Townſhend ſaid acroſs the houſe, "There are no ſuch teſts."] Mr. Adam took up that aſſertion, with great animation. Does the honourable gentleman mean to aſſert that no ſuch thing was ever talked of? Does he mean to ſay that no meeting has ever diſcuſſed the idea and approved of it? And if we are to judge of the ſpirit of reformation, of the rapid progreſs it is making in time to come, by what has already paſt, will it be at all ſurpriſing to find the ſpirit of this conſtitution deſtroyed, the liberty of Parliament annihilated, and a wild democracy controuling in every inſtance the wiſdom of the legiſlature? The beſt, the wiſeſt men, when they attempt a reformation, can never tell how far it is to go. The hiſtory of all ages evinces, that reformers have always exceeded their original deſigns. It becomes neceſſary, therefore, that the learned gentleman who made the motion, ſhould tell the Houſe what he means to do: he ſhews us that many things muſt be done, and we are to be led on, ſtep by ſtep, without previous information, to alter a conſtitution which has made us ſo long free and happy. If they find fault with the preſent ſyſtem, they muſt

muſt have ſome other more complete, and better calculated to preſerve or promote the freedom which they wiſh to eſtabliſh. That ſyſtem ſhould be unfolded, that we may judge of its excellence or its defects, and not be led blindfold to adopt meaſures that, beginning in anarchy, muſt end in deſpotiſm. It is not that I impute an intention to produce thoſe evils to any one. He agreed with the honourable gentleman who ſeconded the motion [Mr. Pitt] that you could not ſay to the people, "Thus far ſhalt thou go, and no farther." It was upon that principle he wiſhed to avert an appeal to that quarter. That the madneſs of popular reformation had never failed to deprive thoſe of power who wiſh to check it, and to place it in the hands of thoſe whoſe deſperate ſituation makes them rejoice in changes. Thoſe who wiſh to carry innovation to a certain length, will find, that their withdrawing themſelves when it exceeds that limit will be of no avail. The honourable gentleman who ſpoke laſt, alluded to the virtues of the laſt century, in the reign of Charles I. in all the language of panegyric. He agreed perfectly with the honourable gentleman in that opinion. If ever there was a time in which human nature diſplayed a pre-eminence of virtue and capacity, it was upon the breaking out of the troubles of that period. But the hiſtory of that period proves the danger of innovation when begun, even from the moſt powerful reaſons, and the moſt upright motives. In the beginning of that unfortunate Prince's reign, every dangerous encroachment had been made in the political and civil liberty of the country. The property, even the life, of the individual was hardly ſafe. It became the great, the virtuous characters of thoſe days to maintain their freedom, and to check the encroachments of a miſtaken monarch. Yet the virtues, the abilities of thoſe times were not able to ſtop the wild ſpirit of reformation when it had once got looſe. The eminent characters that withdrew themſelves from the popular cauſe, when it had gone too far, in vain attempted to reeſtabliſh the conſtitution. They had allowed the deſperate, the needy, and the unprincipled, to fix themſelves in power, beyond the poſſibility of controul. Then it was, that the amiable, the virtuous, the enlightened motives of Lord Falkland were of no avail. Then it was, that Lord Northumberland, Lord Mancheſter, and the Earl of Eſſex himſelf, in vain relinquiſhed the party, whoſe power they had too fatally eſtabliſhed. And what was the conſequence of that fatal ſpirit? The perſon who got the power, firſt voted

one part of the other Houſe uſeleſs, then voted the whole of it unneceſſary. Armed men were brought into the lobby, to detain thoſe members in cuſtody, who were likely to have voted againſt thoſe violent reſolutions. At laſt, the only remaining part of the conſtitution, which, indeed, was ſo garbled that it was hardly valuable, was diſſolved. And how was this effected? Three file of muſqueteers were brought within that Houſe. The mace was taken from the table: and when this violent ſtep was oppoſed by a young man of conſiderable faſhion, of great abilities, of remarkable eloquence, whoſe quickneſs of conception enabled him to ſeize every advantage for his party, whoſe pre-eminence was great when the Protector's political exiſtence had not begun; upon whoſe ſhoulders Cromwell roſe to power; when this perſon oppoſed the diſſolution of the Houſe, Cromwell ſeized him by the cloak, and in the ludicrous language of thoſe times ſaid, "Oh! Sir Harry Vane! Sir Harry Vane! the Lord deliver me from Sir Harry Vane." Thus did he take the mace from that table, and eſtabliſh the moſt oppreſſive and arbitrary deſpotiſm that ever curſed a country. Mr. Adam then ſaid, he thanked God there was a great difference between thoſe times and theſe; that encroachments on the liberties of mankind, induced the greateſt and moſt virtuous to ſeek redreſs, while at preſent the liberties of the people remained unimpaired. But he ſaid, all attempts to appeal to the people, were dangerous. That he never heard of, or ever ſaw an intention of making uſe of that dangerous inſtrument, without recollecting the emphatic words of an illuſtrious author, who wrote about the period of which he had been ſpeaking. In deſcribing youth he ſays, "youth graſps more than it can hold, ſtirs more than it can quiet, and flies to the end without conſidering the means."

He wiſhed thoſe who appealed to the people, and made them the inſtrument of reformation and change, might not graſp more than they can hold, ſtir more than they can quiet, and fly to the end without conſidering the means. He then ſaid, he begged leave to recal the Houſe to what might be thought more immediately the queſtion before them, though he could not but conſider all that he had ſaid as materially connected with the queſtion; becauſe that queſtion contained in it every thing that might happen, all the conſequences that might follow the intended plans of innovation. However, after ſtating ſhortly what he conceived to be a neceſſary concluſion

cluſion from carrying the queſtion, he would ſit down, ſincerely thanking the Houſe for their kind attention.

What he had to ſtate was this, that the preſent motion, if carried, implied that Parliament muſt agree to whatever ſhould be ſet forth in petitions as neceſſary to be done. That without ſuppoſing Parliament was to do ſo, the motion was unneceſſary and nugatory; therefore Parliament muſt be ſuppoſed by implication to be obliged to redreſs what are, or what are called, abuſes. A doctrine ſo ruinous, ſo unconſtitutional, that he never could ſubſcribe to it, and truſted that the Houſe would not give its aſſent to ſuch a principle, by adopting the preſent motion.

Mr. *Fox* roſe after Mr. Adam, and introduced what he had to ſay, with the moſt eloquent exordium, in which he deſcribed the general importance of the times; and, after enumerating the various great topics that had come under diſcuſſion ſince he ſat in that Houſe, inſiſted, in moſt expreſſive terms, on the ſuperior importance of the motion then before the committee, to every other ſubject that had been diſcuſſed in the preſent Parliament. He ſaid he was fair to own, and he believed his honourable and learned friend who made the motion would agree with him, that what the honourable gentleman who ſpoke laſt had ſaid reſpecting this motion being new, was perfectly founded; he believed there was no precedent for it, and that the act of 1641 did not apply to it, "but, ſays he, as the circumſtances of the times are new, the ſituation of this country is without precedent. The miſerable ſtate to which we have been brought by the ignorance and folly of thoſe who govern the country, the increaſed influence of the Crown, the grievances of the people daily increaſing, call for new and unprecedented means of redreſs." The honourable gentleman had deſired his learned friend to come forward with his ſyſtem, and to unfold the extent to which he meant to go in reformation and change. [Here he deſired the clerk to read the reſolutions, which being read, he went on.] Have not the Houſe declared the neceſſary alteration already? Did not the reſolution come to by 233 gentlemen, prove it to be the ſenſe of this Houſe, "that the influence of the Crown was too great, that it was continuing to encreaſe, and ought to be diminiſhed?" Has not the ſame majority declared, that early means muſt be taken to redreſs thoſe grievances? That thoſe means muſt be adequate to the end, no one can doubt; it is not therefore an unknown ſyſtem, but a ſyſtem founded on the determina-

determination of the committee, and adopted by the Houſe. —If the Houſe mean to keep their word with the people, to whom they have ſolemnly pledged themſelves to deſtroy that baneful influence which undermines the liberty of the country, the Houſe muſt proceed further. Unleſs they agree to the preſent motion, they betray the people, by leaving it in the power of the miniſter, (who ſhews himſelf an enemy to the people by his conduct here, and by his directions to others in another place, to put a ſtop to one of the means of redreſſing the abuſes complained of, by throwing out the contractors' bill), to prorogue or diſſolve the Parliament before the means of redreſs are applied. If the motion ſhould paſs, though it did not bind the Crown, there ſtill remained in the executive power the ability to diſſolve the Parliament, or prorogue the preſent ſeſſion: yet he believed no miniſter would be ſo raſh or ſo wicked as to adviſe his Majeſty to diſſolve the Parliament, when that Houſe had addreſſed him not to do it. He truſted, there was yet enough of weight and of power in that Houſe, to make good its own reſolutions, and to carry them into effect; that the reſpect in which the executive power held its advice, was too great to admit of a conduct contrary to its wiſhes, properly and humbly expreſſed. He then alluded, in the moſt glowing expreſſions of rhetorick, to the ſituation of the country, and ſaid, in pretty ſtrong terms, that upon the fate of the preſent queſtion, depended whether this conſtitution, which had been the glory and pride of the world, which the honourable gentleman who ſpoke laſt had deſcribed with ſuch ability and eloquence, was to remain the boaſt of mankind; or whether Engliſhmen were again to fight for their liberties, were again to take the field in oppoſition to arbitrary power; and whether the days of anarchy and deſpotiſm, which the honourable gentleman had gone over, were to recur, and, after a ſcene as mortifying as that ſtruggle had taken place, a reſtoration was to follow upon thoſe abject terms of ſervility and meanneſs, which was perhaps more diſgraceful to this country than the ſcene that preceded it on bringing back Charles II. without terms or ſtipulation.

In ſhort, he ſaid, the queſtion now was, whether the Britiſh conſtitution, "That beautiful fabric, raiſed by the ſteadineſs of our anceſtors, and cemented by the beſt blood of the country!"—(theſe were the old, the trite, but nevertheleſs they were the beſt words he could uſe on the occaſion; they expreſſed moſt perfectly all that could be ſaid of the conſtitution; he could invent none ſo good, he would there-

fore

fore adopt them, as meeting the feelings of every Engliſhman) —whether that beautiful fabric, raiſed by the ſteadineſs of our anceſtors, and cemented by the beſt blood of our country, was to be maintained in that freedom, in that purity, in that perfection, in which thoſe anceſtors had delivered it to us, and for which that blood had been ſpilt; or whether we were to ſubmit to that ſyſtem of deſpotiſm, which had many advocates in this country, which was evidently meant to be promoted, to be eſtabliſhed, and to be fixed. He declared, that during the courſe of what the honourable gentleman who ſpoke laſt, had ſaid, when he employed his oratorical talents in ſo well deſcribing the miſeries of the laſt century, and the unhappy times of Charles I. a prince whom his ſubjects could not truſt; in whom his beſt friends and moſt faithful miniſters could place no confidence; whoſe character for inſincerity and obſtinacy, was his own ruin, and the ruin of his country; whoſe deceitful conduct betrayed him into every error; whoſe fatal and unconquerable obſtinacy never allowed him to recede; who purſued unrelentingly the ſame fatal ſyſtem! While the honourable gentleman, he ſaid, was deſcribing that hiſtory, he could not help thinking, till the very laſt part of his ſpeech, that the honourable gentleman meant to vote for the motion.

Surely the honourable gentleman knew that if that unfortunate, miſguided monarch, in whoſe character a mixture of obſtinacy and inſincerity was the leading feature, had wiſely yielded to the juſt grievances of the people, had he given way to the juſt prayers of the petitions, and redreſſed thoſe abuſes in the early part of his reign, all that fatal anarchy, all that horrid deſpotiſm, all that dreadful ſcene that enſued, would have been avoided; and the unfortunate end to which that prince brought himſelf, by his obſtinate reſiſtance to the complaints of his people, and his ſtubborn refuſal to redreſs the grievances that he had cauſed, by his unwiſely perſiſting in illegal levies of money, and by the arbitrary proceedings of eccleſiaſtical courts, would have been prevented. He expected, therefore, that an honourable gentleman who had deſcribed ſo pathetically, with ſo much feeling and force of expreſſion, thoſe diſaſters, would have concluded with him in agreeing to the motion, as a means of averting thoſe evils of which he ſeemed ſo apprehenſive. He ſaid the honourable gentleman had made an obſervation relative to the tendency of the motion, which he did expect would be made, viz. that it ſuppoſed a neceſſity upon the part of Parliament, implicitly to comply with what the petitions

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of the people of England required, and that that Houſe, or another Houſe of Parliament, by refuſing the bills propoſed for the redreſs of thoſe abuſes, would prevent any advantage from the motion being carried. He here ſtated, that the motion was to addreſs the King not to prorogue the Seſſion, or diſſolve the Parliament, till ſome meaſures were taken to redreſs the abuſes complained of in the petitions of the people.

He then aſked, whether the taking of ſome meaſures required that parliament was obliged to do any thing that was improper for parliament to do? Muſt not ſomething be done? Muſt not ſome meaſure be taken to comply with thoſe petitions? And was it not neceſſary, if they meant to grant the people their juſt requeſts, to keep parliament ſitting till ſuch time as that was done? But it was ſaid, that bills might be refuſed, if not here, in another Houſe. Was it not nevertheleſs poſſible to effect the redreſs of ſome abuſes, by means independent of a bill? for inſtance, was it incompetent to that Houſe to addreſs his Majeſty, to inſtruct his miniſters not to give a contract to a member of parliament? and would it not be a matter that the executive power would hardly chuſe to deny, upon an addreſs to that Houſe? But ſuppoſe it to be done by bill—an honourable friend of his brought in a bill to redreſs the grievance complained of, by revenue officers voting for members of parliament; that bill had been rejected by the Houſe. Another honourable gentleman had brought in a bill for the excluſion of placemen; that bill might poſſibly be rejected: other gentlement, who wiſh well to the reduction of influence, might alſo bring in other bills to the ſame end; and it was hardly to be ſuppoſed that the miniſters, with a bought majority, would reject them all: the grievances of the people would be heard, ought to be, nay muſt be heard. He then went on to ſay, that though he did upon ſome accounts regret the receſs, which the misfortune of the Speaker's health had occaſioned, yet there was one thing that made him happy that it had taken place; it had given him an opportunity of reviewing calmly and deliberately the preſent ſituation of the country; it had given him time to conſider, whether thoſe ſteps, that were meant to be taken, were wiſe and proper, and whether this was the time to propoſe them; it gave him an opportunity to prepare his opinion upon a ſubject of ſuch magnitude and importance; he had therefore offered himſelf early to the Speaker's eye, for the purpoſe of delivering that opinion, without any alluſion to any thing that had been ſaid, but had not been ſo lucky as to be ſeen by him. He ſaid his wiſh had been to avoid the heat and perſonality *which replying* to the arguments of others was very apt to be-

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tray him into. If he did not therefore allude any more to the arguments of the honourable gentleman who ſpoke laſt, he truſted that gentleman would not impute it to diſreſpect for him or his abilities: He knew him to be a man, he reſpected his talents, but he wiſhed to keep ſtrictly to opinions which he had deliberately conſidered. He begged however to allude to one thing that had fallen from the honourable gentleman, before he had done with his reply. The honourable gentleman had talked of teſts to members of Parliament being unconſtitutional. He begged leave to ſay, that though they had been talked of, they had been adopted but in three places, Yorkſhire, Middleſex, and the City of Weſtminſter. [Here Sir Joſeph Mawbey ſaid, and Surrey.] Well then four places have agreed to teſts. But [continued he] ſuppoſe them general: is it remarkable that thoſe, who are going to give their votes for members of parliament, ſhould be deſirous of knowing the ſentiments of the perſon they are to elect, upon any particular and important ſubject that is to come under parliamentary diſcuſſion? Take the American war for inſtance, it will ſerve the purpoſe of illuſtration as well as any other ſubject; ſuppoſe then a perſon is to give his vote for a member of Parliament at a general election, and that the great ſubject of parliamentary diſcuſſion is, whether we ſhould go to war with America? would it be unreaſonable for the elector to endeavour to diſcover, whether the perſon he was to vote for, was for or againſt the American war? A teſt then is only a means to come at the opinion of thoſe we are to chuſe for members of Parliament.

He then went on to the diſcuſſion of the ſubject, as he had conſidered it independent of reply, in which he threw out a great variety of matter, both relative to the propriety of the motion, and the intentions of miniſters to fruſtrate the redreſs of grievances, and eſtabliſh arbitrary power; and added many obſervations on the means they had taken to vilify oppoſition, together with many arguments to induce the 233 to vote with him.

The miniſtry themſelves, and their proſtitute followers, he ſaid, had ſpared no pains, had ſcrupled at no means to traduce, calumniate, and lower the character of thoſe who oppoſed them. They had aimed their poiſoned arrows at them equally as public men and private individuals. They had raked into every part of their lives to find ſome perſonal weakneſs, in order to uſe it as an inſtrument of calumny. The follies of youth and the foibles of age had been held out to the public as the moſt enormous crimes. Some had been abuſed for being too rich, others for being too poor. Even the indiſcre-

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tions of ſome had been ſolemnly brought forward againſt all as ſerious accuſations. Nor had this taſk been undertaken by the loweſt of the tribe of abuſers; grave and diſtinguiſhed characters, men elevated in rank, and exalted in ſtation; men in high office had harangued a great aſſembly, one of the higheſt aſſemblies in the kingdom, on theſe indiſcretions. The Earl of Hillſborough had done this! The Earl of Hillſborough, who had reprobated the conduct of the Houſe of Commons on the moſt important occaſion, and who, when perhaps the Houſe of Commons moſt deſerved the applauſe and gratitude of the people at large, had deemed that conduct the phrenzy of virtue, and virtue run mad; had contraſted a public miſchief with a private vice, and had ſet up the gaming of individuals with their own fortune, againſt the gaming of public men with the public purſe. He was as ready as any man to own that gaming was a vice, but ſurely he had a right to ſay, it was a vice countenanced by the faſhion of the times, a vice into which ſome of the greateſt characters had given, in the early part of their lives; and a vice which carried with it its own puniſhment, and entailed a curſe upon thoſe who were addicted to it. As public men, he ſaid, oppoſition had been firſt deemed a faction, and had been deſcribed as a faction of the moſt obnoxious kind; a faction who were enemies to the welfare of their country! At one time they were called Americans, at another time Frenchmen, at another time Spaniards, and now the phraſe was, that they were Dutchmen. In ſhort they were at all times any thing but Engliſhmen!

Having delivered the above in a moſt animated ſtile of oratory, he declared, that he had been eleven years a member of Parliament, and he had lived to ſee all thoſe principles that he had been taught by the men who undertook to inſtruct him in his early youth, when he was yet to learn the duties of a member of Parliament, overturned and contradicted. When he came into that Houſe, the noble Lord in the blue ribbon taught him to conſider the privileges of the Houſe of Commons as the firſt and moſt neceſſary part of the conſtitution. The noble Lord had told him, that Houſe was the palladium of Britiſh liberty; "there it was that the rights of the people were to be ſupported, and the privileges of the Houſe of Commons were to be maintained, and to be kept up, becauſe it was in that Houſe that the liberties of the people of England were to be preſerved." Good God, how had the noble Lord kept to that principle! *how baſely had* he deſerted that ground, and left the privi-

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leges of the Houſe to be trampled upon! How was the doctrine changed with reſpect to the other Houſe of Parliament? It was not many years ſince that Houſe had ſolemnly voted it improper for them to take into conſideration any thing relative to the right of a ſeat of a member of the Houſe of Commons. How had they changed their conduct and opinion by the rejection of a bill that related to the members of the Houſe of Commons alone? And if he was to judge from the proteſt of the Lords, and he conceived he was intitled to judge from that proteſt, the Lords had rejected the bill upon reaſons the moſt futile, the moſt ill-founded, that could well be imagined: but did not every part of that buſineſs ſhew that miniſterial influence had interfered, that the noble Lord in the blue ribbon had rejected that bill contrary to the ſenſe of the majority of hereditary and independent peers, and that the rejection had been carried by the Scotch Lords and the bench of biſhops? Gentlemen argued about the right of the Houſe of Lords: they had a right, but would it be permitted, would it be allowed by that Houſe? Would the other Houſe dare to counteract the wiſhes of the people in matters in which they themſelves had no concern? He ſaid the vote of the 6th of April, that glorious vote, which eſtabliſhed a foundation for the liberty of this country, could not be carried into execution without agreeing to the preſent motion! He therefore argued, that the 233 gentlemen who had voted "that the influence of the Crown was too great, that it ought to be diminiſhed," and that proper means muſt be taken to diminiſh it, muſt adopt the preſent motion as the only means of carrying any thing into execution. For what was the ſituation of thoſe gentlemen and of that Houſe?—They had pledged themſelves in the moſt ſolemn manner to redreſs the grievances complained of in the petitions of the people of England. Like the caſe of an individual, who enters into a bond to pay a ſum of money, or incurs a penalty, they had ſolemnly entered into a bond with the people of England, to reduce the undue influence of the Crown, and to deſtroy that enormous overgrown corruption; and the penalty, in caſe of non-performance, was a forfeiture of the affections of the people of England. That moſt dreadful calamity, that moſt melancholy circumſtance that could attend a Houſe of Commons, the loſs of the affections of thoſe for whoſe advantage, and to promote whoſe happineſs they were choſen, would be the

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fatal conſequence of not fulfilling the conditions of the bond into which they had entered! But, ſaid he, it is impoſſible that this can take place. *Magna eſt veritas & prevalebit.* The truth of what that Houſe had determined, the ſolemn manner in which they had declared influence too great, and conſequently dangerous, muſt prevail over every attempt to corrupt; and thoſe who had ſolemnly bound themſelves to redreſs the grivances complained of, would, in the end, overcome the purchaſed votes of a miniſter!

He anſwered the objections made to the motion, on the ground that it tended to an infringement on the King's prerogative, by ſhewing, that ſo far from aſſuming any power derogatory to that prerogative, it fully acknowledged it; and in reply to the argument urged againſt the motion, on the idea that Parliament might, if the motion was carried, continue ſitting for two years together, he ſaid thoſe fears were groundleſs and abſurd, for that Parliament would die a natural death in October 1781; and as the motion only propoſed that the Houſe ſhould ſit, "till proper meaſures were taken, to diminiſh the influence of the Crown, and correct the other abuſes complained of in the petitions of the people;" it was in the power of the Houſe to put an end to the ſeſſions whenever it pleaſed. and if heartily and ſincerely diſpoſed to liſten to the voice of the people, a very ſhort time would ſuffice for effecting all that was neceſſary.

There was an old precept, he ſaid, which in one ſenſe was profoundly wiſe and admirable, but in that in which adminiſtration practiſed it, he deteſted as the moſt deſtructive and wicked principle of government. In the oppoſite ſenſe, in that in which he could explain it, he revered and reſpected it as one of the beſt maxims that could direct the conduct of mankind. *Divide et impera*, in the common acceptation of the words, and as thoſe who adviſed his Majeſty had adopted them, was the miſerable principle to which he traced back all the innumerable calamities of this unfortunate reign. It was to that diabolical principle of *divide and conquer*, as practiſed, not againſt the enemies but the friends of the conſtitution, that had produced our preſent ſituation, which a noble Lord [Lord Nugent] who ſpoke early, ſo well deſcribed—a ruinous war, a bankrupt treaſury, and an impaired conſtitution! But, as he would explain it, it was a principle that would eſtabliſh freedom, maintain the conſtitution, and promote the happineſs of England. To di-

vide the good from the bad, to ſeparate thoſe who loved the conſtitution from thoſe who abuſed it; to divide the uncorrupted and the virtuous, from the bought and corrupted; to divide thoſe who loved freedom, from thoſe who wiſhed the eſtabliſhment of deſpotiſm: ſuch a diviſion, forming an union of the great and good, would lay the foundation for all thoſe reformations that were neceſſary to reſtore the freedom of an impaired conſtitution. But that the wicked ſyſtem of thoſe, a ſyſtem as weak as it is wicked, who had divided every other part of the empire, and now wiſhed the diviſion of the people of England, in order to maintain that fatal power which had curſed this country, and reduced it to its preſent melancholy ſituation, was to be withſtood. He truſted, therefore, that two hundred and thirty-three honeſt and unbought men would not allow themſelves upon this occaſion to be operated upon by that weak and wicked maxim, but that pledged as they were to the people, they would fulfil every engagement they had brought themſelves under. He interſperſed theſe obſervations with frequent replies to Mr. Adam, particularly upon the argument that he made uſe of to ſhew, that the negativing the preſent queſtion did not infer a neceſſity of adopting the meaſure of immediate diſſolution or prorogation. This he anſwered by ſaying, that it did however leave an adminiſtration, hoſtile in every point to the petitions of the people, with the power of prorogation and diſſolution in their hands, if they choſe to make uſe of it. He likewiſe made ſome obſervations upon annual Parliaments and encreaſed repreſentation, not ſupporting them, though at the ſame time not condemning them, but rather ſtating that the preſent motion was unconnected with that conſideration. He then went again into the doctrine of the popularity and unpopularity of oppoſition; he reprobated the attempts of miniſters to abuſe them by means of the preſs, and thanked God they had overcome all their calumnies, and were now as popular as their enemies wiſhed them the reverſe. He ſaid, with reſpect to the American buſineſs, he rather believed that they had not acted at firſt altogether agreeably to the popular opinion; but if they were on that ground an unpopular oppoſition, he gloried in the circumſtance, if he conſidered it as a party man, but he regretted it as an Engliſhman. Had not every event proved, had not the conviction of that Houſe, had not the conviction of that country, and the ſcandalous diſgrace of the preſent miniſters,

who had given up every point they had formerly contended for, proved, that though unpopular, they were right in all their opinions? The glory of oppoſition therefore was the diſgrace and the ruin of Great Britain; points which every true Engliſhman muſt regard with horror, and in whoſe eyes all ideas of popularity muſt appear inſignificant, and trifling indeed, when ſeriouſly compared. This ground he laboured with his uſual vehemence and ability, and concluded for the motion, as being ſo material for the great object the Houſe had pledged itſelf to, that he could not bring himſelf to believe that it would be refuſed.

The *Lord Advocate* oppoſed the motion with his uſual ingenuity, and defended the Houſe of Lords with great firmneſs. He deemed the contractors' bill a ridiculous bill, brought in merely to court popularity, and with a view to gain favour with the mob. [Here he was called to order by Mr. Townſhend.] He roſe again, and ſaid he could not but think it a little unfair to be debarred from ſpeaking of a mere abortion with ſome little freedom, when he, from day to day, heard acts of the legiſlature, acts now in full force, reprobated without mercy. He ſaw no reaſon why the ſtrangled child ſhould be more gently handled, than the maturer offspring of the legiſlature. He paid the higheſt compliments to the Lord Chancellor, for his conduct reſpecting the bill, declaring that it well became a man of his manly mind, of his majeſtic ſoul, of his ſolid judgment and excellent underſtanding, to act exactly as he had done reſpecting it. That noble and learned Lord, he was ſure, would always treat nonſenſe ſo whenever it came into his hands. He would neither court one ſide nor the other; neither dread popular reſentment, nor be influenced by miniſterial favour; but would walk ſtrait forward and do his duty as became a Britiſh peer in Parliament. He reprobated the motion, which he ludicrouſly termed a "Recruiting officer, ſent out by oppoſition to beat up for grievances and enliſt motions!"

General *Conway*, on the other hand, ſupported the motion very warmly.

Mr. *Charteris* ſaid a few words againſt it.

Lord *George Germaine* ſpoke againſt the queſtion, as a mode of interfering with the prerogative of the crown, neither warranted by proof of its being neceſſary, nor ſupported on any grounds of good argument. His Lordſhip defended the conduct of the other Houſe, and quoted, as a

caſe in point, to their conduct reſpecting the contractors' bill, a peerage bill ſent down by them to the Commons, which the Commons rejected as an attempt to alter the conſtitution, which they at that time declared the Lords had no right to meddle with. His Lordſhip argued upon ſound principles reſpecting the rights of the Commons, deſcribing its power over the purſe of the people as ſufficient to anſwer every end the Commons were conſtitutionally meant to have at their will and pleaſure.

Colonel *Barré* made an animated reply, ſtating two extracts, the one from the Parliament roll of Edward III. in which that prince called a Parliament expreſsly to hear and redreſs the grievances of the people, and for no other purpoſe. The Colonel ſaid he took his extract from Lord Somers's remark on the paſſage; which remark he read to the Houſe: the amount of it was, the learned Lord's declaration, that the paſſage ſtruck him ſo forcibly, that he wiſhed it poſſible to have had it tranſcribed with a ſun-beam! The other extract the Colonel read, was from an old Latin book, entitled *De Tenendo Parliamentos*; and ſtated that if a King diſſolved or prorogued his Parliament while one petition of the people, complaining of grievances, remained unredreſſed, that King was perjured.

The *Secretary at War* made a ſhort ſpeech againſt the queſtion.

At a quarter paſt eleven the Houſe divided upon it, when the numbers were

Ayes - 203 Noes - 254

As ſoon as the members were told into the Houſe, ſeveral gentlemen repaired to the table, to ſettle the orders relative to their reſpective propoſitions before the Houſe; among the reſt Mr. Dunning moved, that the committee of the whole Houſe, to take the county and other petitions into conſideration, be deferred till that day ſe'nnight; and Mr. Burke, that the committee on the civil liſt bill be deferred till Friday next. The Houſe began to thin apace, particularly from the oppoſition ſide; when Mr. *Fox* ſaid he had a few words to ſay, which he wiſhed that ſome of the gentlemen who acted with him ſhould hear before they went away.

He ſaid, the call of the Houſe, which ſtood for that day, and which he promiſed to have ſtrictly enforced, would, he believed, be better poſtponed, as numbers had quitted the Houſe, forgetting that their preſence was neceſſary while their names were calling over. He had reſolved, in his own

mind, to move the order of the day, ſhould his learned friend's motion be negatived; but as he underſtood that his learned friend had moved to have the committee on the petitions deferred till Monday next, he thought it better to make one further trial, as well out of reſpect of his learned friend and ſome other gentlemen who had taken an active part in the petitions, as to give thoſe gentlemen who ſeparated their friends on the queſtion juſt decided, an opportunity of fully and inequivocally declaring their real ſentiments; for he could not believe that it was poſſible for the majority of thoſe who ſupported the reſolutions of the 6th of April, no ſufficient cauſe, nor colour or ſhadow of apology intervening, to deſert and reprobate the principles which they maintained on that ever memorable night. He was proceeding, but during the whole time he was on his legs there prevailed a ſhameful diſorder in the Houſe, great numbers ſtanding and talking on the floor, and about the table.

Sir *Thomas Frankland* during this confuſion called frequently to order, as did likewiſe the Speaker, but to little or no effect. At length Sir Thomas called on the chair to exerciſe its authority, and if poſſible to reſtore order.

The *Speaker* then called on every ſide of the Houſe with great vehemence; commanded the Serjeant to clear the bar, and deſired and inſiſted that gentlemen might take their places.

Sir *Thomas Frankland* then roſe, and thanked the Speaker for his interpoſition; took notice of the improper conduct of the members, who after repeated admonitions endeavoured to throw every thing into confuſion; and ſaid, that it was cruel and unworthy treatment to the Speaker, who being in an indifferent ſtate of health, and who muſt be ſuppoſed to be much exhauſted after ſo long a debate, in ſo full an Houſe, to oblige him under ſuch circumſtances to exert himſelf in the manner he had been compelled to do. He then proceeded to make ſome obſervations on the probable conſequences of the vote given that night; talked of the diſtreſſed ſtate of the country in general, the fall in the value of lands, fall of rents, heavy taxes and encreaſing burdens, and the general diſcontents which prevailed in every part of the country, particularly the county in which he lived (York) in conſequence of thoſe various and intolerable evils; affirming, he moſt ſincerely believed, that if ſomething was not done by that Houſe to avert them, and give the petitioners and people at large *ſome* ſatisfaction, thoſe aggrieved would ſeek a remedy in

their

their own efforts, and no longer look up to that Houſe for redreſs.

Order was not yet reſtored; at length Mr. *Fox* roſe, and the members taking their places, as he entreated an hearing—he ſaid, ſince he had firſt ſat in that Houſe he never felt himſelf ſo hurt, mortified, and filled with indignant reſentment, as that night; ſo much ſo, but for the circumſtance already alluded to, relative to his learned friend, and his adjourning over the committee, he, for one, was determined, ſo far as related to himſelf, to adjourn over the buſineſs of the preſent ſeſſion, and never more enter that Houſe, ſo long as the majority entertained ſimilar ſentiments to thoſe they apparently embraced by the vote they gave this night. It was a ſcandalous, treacherous, and diſgraceful vote [called to order by the treaſury bench.] He did not mean to ſay that it was ſcandalous or diſgraceful in thoſe who oppoſed the vote of the 6th of April to oppoſe the addreſs moved by his learned friend; on the contrary, he thought they acted conſiſtently, like men. Moſt clearly thoſe two hundred and fifteen gentlemen who declared their opinions that the influence of the crown was not increaſed, and ought not to be diminiſhed, had purſued an open, direct, and conſiſtent conduct; they differed from him; he was ſorry for it; but they differed from him upon principle. They declared roundly and expreſsly what they thought upon the ſubject; and they would have been guilty of the moſt ſhameful verſatility if they abandoned that principle which they had ſo recently avowed. But who could contemplate, but with a mixture of indignation and ſurprize, the conduct of another ſet of men in that Houſe, who on the ſame night reſolved that the influence of the crown was encreaſed, and ought to be diminiſhed, and that the grievances and complaints of the people ought to be redreſſed; and who pledged themſelves to that Houſe, to the nation, to their conſtituents, to the people at large, to each other, and to themſelves, that it was their duty to redreſs the grievances complained of; but who on the only two occaſions that offered, ſhamefully fled from that ſolemn engagement, by rejecting the means propoſed! It was ſhameful, it was baſe, it was unmanly, it was treacherous. The gentlemen he meant ſurrounded him; they ſat at his ſide of the Houſe; he was ſorry for it. They were thoſe who voted with him on the 6th of April, and who voted with the miniſter that night. No man held thoſe who were at the devotion of the miniſter in greater contempt than he did; they were ſlaves of the worſt kind, becauſe they ſold themſelves; yet, baſe as the tenure of their

places was, they had one virtue to pride themſelves on, that of fidelity, gratitude, and conſiſtency; to all their other demerits they had not added the abſurdity and treachery of one day reſolving an opinion to be true, and the next of declaring it to be a falſhood. They had not taken in their patron, or their friends, with falſe hopes, and deluſive promiſes. Whatever their motives or ſentiments might be, they had adhered to them, and ſo far as that went their conduct was entitled to his approbation. He could forgive the man he ſaw voting regularly with the miniſter, through thick and thin, upon every queſtion; he could behold him, in his ſervile ſtate, with pity; he could forgive him for cringing and bowing at the levee of the prince or the miniſter, without exciting in his breaſt any other ſentiment; but on the other hand, when he beheld the conduct of ſome men, affecting different principles, ſupporting a miniſter who had very fairly, he would acknowledge, oppoſed and denied that the influence of the crown was encreaſed, and ought to be diminiſhed, it filled him with horror.—What breaſt but muſt be filled with the warmeſt reſentment, and the keeneſt contempt, to ſee thoſe who pretended that the complaints of the people ought to be redreſſed, that the influence of the crown had encreaſed; who had pledged themſelves that they would reduce one, and remove the cauſe of the other, vote in a majority with thoſe who denied that either exiſted, and that the petitions were only fabricated by faction, and ought not to be attended to. He was at a loſs for words by which he could give vent to what he felt on the occaſion. Why had not thoſe who voted on the 6th of April in the majority, explained themſelves? If they approved of the general tendency of the reſolutions, why had they not propoſed ſome effective meaſures? Why had not they deſcribed the fabric they meant to raiſe, or which they wiſhed to have erected on that baſis? Why had not they, when propoſitions were moved, which they could not approve of, manfully ſtand forth in ſupport of their own ſentiments, and declare to thoſe who united in opinion upon the general declarations contained in the reſolutions, then moved and carried? We agree with you, reſpecting the ground-work, but by the propoſitions you would raiſe upon it, we differ totally with you. We meant *this*, and *not that*; we will agree with you in ſuch and ſuch meaſures, but we muſt diſſent from thoſe you now offer. This, in his apprehenſion, would have exculpated them from all blame; would have cleanly wiped away all ſuſpicion. A difference of

opinion

opinion might ariſe, but it would be ſuch a difference as was agreeable to that liberty of aſſent and diſſent every man was entitled to, whoſe opinion could be deemed free. But, to agree to certain general propoſitions, to refuſe to propoſe any effective ones, or agree to thoſe offered, was a paradox, he believed, in party and politics. It was taking in their friends. He was taken in, deluded, and impoſed on. [A loud laugh from the oppoſite benches.] He acknowledged it; for, in his conſcience, he thought the aſſiſtance of ſuch men did more harm than good. It led to lull the nation into a dangerous ſecurity, to impoſe on the petitioners, and, in ſhort, to ſpread through the nation every ſpecies of popular deluſion.

He thought it his duty, while on his legs, to declare, that the defection which he had alluded to originated chiefly among the county members, many of them of great weight and reſpect; but however high they might ſtand in the eſtimation of their friends in their counties, or that Houſe, he ſhould ever judge of men by their conduct, and not by their profeſſions. He doubted not but they had their reaſons for voting contrary on one day to what they reſolved the preceding. The laſt vote, moſt probably, was agreeable to their real ſentiments; the vote of the 6th of April was to anſwer ends merely perſonal. We were at the eve of a general election; the gentlemen alluded to would ſoon go down to their conſtituents: the firſt and moſt natural queſtion would be, What have you done in conſequence of our petitions? Is the influence of the crown diminiſhed? What redreſs have you procured for us? Has a more œconomical expenditure of the public money been determined upon and adopted? Have our burthens been lightened? Are all uſeleſs and ſine-cure places aboliſhed? And have you eſtabliſhed a reform in the expences of the King's houſhold? No: but look at the reſolutions of the 6th of April; you will there find that I and my colleague have voted, that the influence of the crown has increaſed and ought to be diminiſhed; you will find it likewiſe reſolved, on the ſame day, by me and 232 other friends of their country, that it was our duty to redreſs the grievances ſtated in the petitions. He truſted, however, that ſuch groſs tergiverſation would never paſs without detection, nor fail to be followed by the indignant contempt with which it deſerved to be treated. He did not yet deſpair but the people would not only continue to ſee their own intereſt, which they had already

done, but that they would beſides know how to diſtinguiſh between their open friends and foes, and learn to diſcover their worſt of enemies, their concealed ones. From their open ones they had nothing to fear or hope: by their ſecret and determined enemies they might be deceived; they had been often betrayed by them; but he hoped they would not be able to do it now, by votes which meant nothing if not followed up by efficient meaſures, and worſe than nothing, when thus ſhamefully abandoned almoſt in the very inſtant in which they were given.

For his part, he was determined, after Monday night next, to abſent himſelf from that Houſe. He would make one trial, one effort more, in expectation that thoſe who had deſerted their principles would endeavour to retrieve their public character. If that laſt effort ſhould miſcarry, he would then know what to do; he would exert himſelf without theſe walls, as he had continued to do within them, as long as he expected that any benefit could be derived from it. He preſumed his learned friend would propoſe ſome meaſure which would come in the form of an ultimate teſt; for his part, he ſhould propoſe none himſelf, though he would ſupport any which might be propoſed, to the beſt of his abilities. If this laſt trial ſhould meet with a ſimilar fate to that of his learned friend's motion that night, he would quit that Houſe, and leave miniſters reſponſible for the conſequences. [A great cry of Hear! hear!] He was perſuaded that the gentlemen who cried out ſo vociferouſly in the exultation of victory, Hear! hear! would be very glad of it; but he begged leave to aſſure thoſe gentlemen, that not one of them wiſhed more ſincerely for ſuch an emancipation from a fruitleſs attendance there than he did. If theſe gentlemen however imagined that his future conduct would be directed to meaſures promotive of public confuſion, they were very much miſtaken; the people had reſources ſtill left; they were furniſhed by the conſtitution. A general election was approaching, and then the people, by the choice they might make, would have it in their power to obtain that redreſs, by ſending only ſuch repreſentatives to Parliament as entertained ſentiments congenial to their own. There would be no occaſion for armed committees or warlike aſſociations. The conſtitution was not ſo imperfect as to compel men to take arms in ſupport and defence of their rights; the means which a general election gave them were ſtrictly conſonant to peace and good order; and if thoſe means were reſorted to, and judiciouſly and firmly exerted, he did not deſpair; nay, he was perfectly convinced, that the next Parliament would give

give that redreſs to the complaints of the ... good and independent man wiſhed for, ... not be in the power of the influence of ... or prevent.

Lord *North* ſaid, he was never more ſurpriſed, ... acquainted with Parliament, than at hearing the langu... which fell from the honourable gentleman who had juſt ſat down. He thought it incumbent upon him, more than once, to have called him to order in the courſe of his ſpeech; but he declined to do it, as it might be productive of altercation, which was by no means deſireable at ſo late an hour of the night. Baſe! ſcandalous! diſgraceful! and treacherous! were epithets which ought not to have been permitted to be applied to any member in that Houſe, much leſs to a majority of that Houſe, or any number of perſons included in that majority, which the honourable gentleman had endeavoured to deſcribe, without a poſſibility of the perſons alluded to being miſtaken or unknown; namely, ſuch gentlemen as had voted in a majority with the honourable member on a former occaſion, and who had left him in a minority this night. It was ſuch language as no provocation could juſtify. It was indecent, unparliamentary, and improper. It was an invective, not a ſpeech; and was in one part pointed againſt a ſet of men as reſpectable as any in that Houſe, no matter on which ſide. It was diſorderly, becauſe no words or expreſſions uſed there ought to be permitted, but what would paſs current among any other ſociety of gentlemen; that, he preſumed, was one of the fixed principles of order in that Houſe, and in every other popular aſſembly. The honourable gentleman happened to be in the minority one night, and in a majority on another. The honourable gentleman ſeemed to be diſpleaſed; he was ſo uſed to vote in a minority, that he ſeems quite offended that he was enabled to vote at any time in a majority, if that majority was not always ſecured to him. This was rather unreaſonable. He dared to ſay that he was as much accuſtomed to vote in a majority as the honourable gentleman; yet, on the particular night alluded to, he was obliged to ſubmit. It was his fortune to be left on that night in a very conſiderable minority; yet he did not think himſelf juſtified in riſing immediately, and, in the anguiſh of defeat and diſappointment, accuſing thoſe who had frequently before voted with him, with baſeneſs, treachery, verſatility, and other improper motives. He would therefore recommend to the honourable gentleman not to be ſo raſh or haſty, but rather to give him credit for one part of his conduct, which he was

perſuaded

minded would be worthy of the honourable gentleman's imitation; not to deſpair, but rather hope, that upon ſome future day he might again vote in a majority.

The honourable gentleman, with his uſual ability and fertile imagination, drew concluſions, in his opinion, which the vote of that night by no means warranted. The honourable gentleman preſumed, that becauſe the Houſe refuſed to addreſs his Majeſty not to prorogue Parliament, or diſſolve it, but to prolong its duration to an indefinite period, and for no definite purpoſe, at leaſt expreſſed in the motion; that conſequently the petitioners were to have no redreſs. In his apprehenſion, the ground of the motion had no other ſupport but a ſuſpicion, that either one or the other of thoſe meaſures were then actually in contemplation, and were meant, at an improper time, and in an improper manner, to be carried into execution. Bare ſuſpicion, or ſurmiſe, was no ground for propoſing any meaſure in that Houſe. It ſhould be a probable ſurmiſe, a probable ſuſpicion, that ought to operate upon the proceedings or reſolutions of that Houſe. Was any thing like it either ſuggeſted in the motion itſelf, as it ſtood on the papers, or in argument, that any ſudden or premature prorogation or diſſolution of Parliament was about to take place? He did not recollect that any ſuch ſuggeſtion was urged. He heard a great deal of looſe aſſertion, of predicted fears and general apprehenſions, but not a ſyllable which ſtamped upon them the leaſt colour or ſhadow of weight or authority.

If there was no proof of the affirmative, how did the negative given to the learned gentleman's motion ſtand ſupported? Upon every fair ground of probability.

He would, in the firſt inſtance, ſpeak from his own knowledge, that he knew nothing which would prevent the preſent ſeſſion from ſitting a reaſonable time. There was a great deal of buſineſs before the Houſe. There was in particular the tax bills; there were beſides other meaſures before the Houſe, which he preſumed, notwithſtanding the honourable gentleman's declared reſolution of abſenting himſelf from that Houſe, would undergo a conſiderable deal of diſcuſſion, and, of courſe, of time, before they could be properly diſpoſed of. In his opinion, therefore, inſtead of any fair or probable cauſe of ſuſpecting, that it was the intention of the King's confident ſervants, to put an immature period to the preſent ſeſſion, [illegible] y probability lay the other way: firſt, that there [illegible] ineſs which muſt be finiſhed before the Houſe roſe; [illegible] only, that that buſineſs would take up more time than [illegible] in any ſenſe prevent the full and ſober diſcuſſion of any queſtions

queſtions relative to the petitions on the table, or other buſineſs, in which the intereſt of the public might be concerned.

Another part of the honourable gentleman's ſpeech ſeemed to him to be founded upon a very extraordinary concluſion indeed! It ſuppoſed, that the negative given to the honourable gentleman's motion amounted ſubſtantially to a negative to the whole of the prayers of the petitions; that their fate was thereby decided, and that the Houſe had determined to deny the petitioners every ſpecies of relief. This, to him, appeared a very extravagant mode of arguing, and totally irreconcileable to common ſenſe, and the knowledge and experience of the Houſe. He would in the firſt place obſerve, that no one meaſure whatever had been either negatived, or by inference diſpoſed of, by the vote of that night. The motion ſtated, recommended no ſpecific meaſure relative to the ſubject matter contained in the petition. It only expreſſed a deſire, that his Majeſty would not diſſolve or prorogue Parliament, till the petitioners had redreſs; but remained totally ſilent as to the mode of redreſs; and had, with ſeeming deſign, declined to ſtate any effective meaſure whatever. But ſuppoſing, what was not the caſe, that ſome meaſure had been propoſed, and had been diſapproved of; or ſuppoſing, what no man could venture to ſay, that whatever the learned gentleman, or any other honourable member might move in the committee on Monday next, would be negatived; would it follow from the ice, by negativing the other, as one had been already negatived, that ſuch an event would amount to a negative of the prayers of the ſeveral petitions? He could by no means think ſo. The reſolutions of the 6th of April, how much ſoever he diſapproved of them, ſtill remained on the Journals, as the ſenſe of that Houſe; other meaſures might be propoſed on them; but even if there ſhould not, there were ſeveral bills before the Houſe. There was the bill for conſtituting a commiſſion of accounts; there was a bill, brought in by an honourable gentleman, part of which he highly approved; there were two or three other bills, brought in by honourable gentlemen, all formed upon the petitions. Such being the caſe, he muſt ſay, that the honourable gentleman was not warranted in affirming, that, becauſe every thing which he or his friends might think proper to propoſe, was not agreed to, that therefore nothing was meant to be done, but that the prayers of the petitions were to be defeated in the groſs.

He could hardly ſuſpect the honourable gentleman's abilities, he muſt therefore impute it to his total miſapprehenſion, or ſome other cauſe, for it appeared to him a very abſurd ſpecies

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of reaſoning, that becauſe every propoſition, made in conſequence of the petitions, was not adopted, that it was therefore determined to reject all. If the honourable gentleman meant to eſtabliſh that concluſion, he truſted he would find himſelf miſtaken; if for no other reaſon but for this, that it would at once put an end to all free deliberation and enquiry, by precluding men from exerciſing their own judgement, and thereby binding them to the individual opinions of every perſon, who happened to agree with them in ſome fundamental point, ſuch as, that the influence of the crown had increaſed, and ought to be diminiſhed, &c.

On the whole, his Lordſhip hoped that the public would perceive the difference between the concluſion drawn by the honourable gentleman and the queſtion, as it really preſented itſelf to the impartial obſerver; and he truſted in that light, as the refuſing to conſent to any ſpecific meaſure was far from importing a general negative to the petitions; ſo the motion which had been now diſpoſed of, not being founded either in fact or probability, was by no means entitled to the approbation of that Houſe.

Mr. *Dunning* ſaid, his honourable friend had been miſinformed, when he ſuppoſed that he had any particular meaſure to propoſe on Monday next. He aſſured the honourable gentleman, and the reſt of his friends in that Houſe, that he had not. His labours and aſſiduities were already determined. When he moved that the committee might be adjourned, and kept open till Monday, his intention in ſo doing was only to give other gentlemen an opportunity of conveying their ſentiments through that medium to the Houſe. He had doubted for ſome days paſt, but he deſpaired, ſince the vote which had now paſſed, of being able to render any ſervice to his country. The noble Lord in the blue ribbon had talked of the propoſitions of individuals, and of the Houſe not being bound by them. He confeſſed himſelf a ſtranger to the ſpecies of property alluded to by the noble Lord. He knew of no property any man had in any motion from the inſtant he delivered it out of his hand. It was not henceforward this or that man's propoſition: it was the propoſition of the Houſe, which in its own judgment it was at liberty to adopt or reject; in either event it contained the ſenſe of the Houſe, and could be no longer eſteemed, or be treated as the ſentiments of any particular perſon. In that ſenſe, and that ſenſe only, he had ſubmitted ſome propoſitions to the Houſe, and was quite indifferent as to their fate; if they were fit to be adopted, he preſumed they would be ſo adopted; if to be rejected, they would

would be ſo rejected: in either and every event the mover could have no intereſt in the rejection or adoption, but what if he enjoyed at all he muſt enjoy in common with others.

Mr. *Fox* roſe to explain what he meant reſpecting the words baſe, ſcandalous, and diſgraceful, reſpecting the vote given by thoſe on the 6th of April who divided againſt the motion made that night by his learned friend. He ſaid, when he made uſe of thoſe epithets, he applied them in this, and this way only. He did not mean to ſay that they had acted diſgracefully, ſhamefully, &c. that night; he meant to convey this idea, that the gentlemen who voted on the 6th of April, that the influence of the Crown had increaſed, and ought to be diminiſhed, and that it was the duty of that Houſe to redreſs the grievances complained of in the petitions, were bound and ſtood publicly pledged to perform one or the other of theſe two things; to ſupport ſuch meaſures as might be ſuggeſted in conſequence of thoſe reſolutions; or if they appeared to be ſuch as they could not conſcientiouſly vote in ſupport of, that then they were bound to propoſe ſome other reſolutions or meaſures, conformable to the ideas they entertained when they gave the vote of the 6th of April. If they refuſed to do that, or neglected in time to do it, ſo as that the meaſure propoſed might at the late period of the ſeſſion have a fair proſpect of paſſing into a law before any prorogation or diſſolution of Parliament ſhould take place; in ſuch a poſſible event he was prepared to re-aſſert and repeat, that a conduct of that kind amounted to a deſertion and abandonment of their declared principles, of their ſolemn promiſes plighted in that Houſe to their conſtituents, and the people at large; and in that light were ſcandalous, baſe, treacherous, ſhameful, and diſgraceful!

April 25.

Some private buſineſs being got over, Lord *North* moved for going into the Grenada bill, but was interrupted by Sir George Yonge, who ſaid, he had a motion of very great conſequence, in his opinion, to make, and which would not admit of any delay. Lord North anſwered, that the order of the day ought to be gone into, eſpecially as it was a buſineſs of great importance, and, he believed, the firſt in order; this was, however, denied by ſome members, as the ſalt bill, and another, were previous to it. Sir George Yonge could not give up his point, as, he ſaid, it was cuſtomary for motions to come before any order of the day.

The Houſe agreeing to the juſtneſs of this remark, Sir George made ſome obſervations on the neceſſity of a national militia,

militia, at the ſame time declaring his diſlike to a ſtanding army; he thought the manner of ſtationing the militia bordered upon making them ſuch; the reaſon he was ſo anxious to make his motion now was on account of the militia being very ſoon to be encamped; and as great inconveniencies, unneceſſary expences, and fatigue, had been incurred by marching men from almoſt one extremity of the kingdom to the other, which could anſwer no good purpoſe, it was highly neceſſary, both for the convenience of the officers and men, and the better ſecurity of the nation, to have them ſtationed in different diſtricts, as near as poſſible to their own counties. As theſe men were embodied merely for the purpoſe of being ſerviceable in caſe of an invaſion, he apprehended there were not more than ſix or eight places where ſuch an event could happen; he was therefore of opinion, that the men raiſed in counties the moſt contiguous, were the moſt proper to be ſtationed in diſtricts which they were beſt acquainted with: beſides, a general election being near at hand, and many of the men having votes for repreſentatives, if they were removed one or two hundred miles from the place of election, how could it be poſſible for them to enjoy the pleaſure of giving their ſuffrages? From theſe and other conſiderations he begged leave to move, that an addreſs be preſented to his Majeſty, that the militia corps may not be ordered to diſtant parts of the kingdom, but ſtationed as convenient as poſſible to their own counties.

Mr. *Jenkinſon* thought the motion tended to infringe on the executive power, which that Houſe had no right to interfere in: he moreover contended, that the men, by being encamped, learnt their diſcipline much better than if kept at home; that the objection of them who had votes for members of Parliament could have no weight, as on ſuch occaſions they had a right to a furlough; and travelling a few days, at ſuch a time, would not be deemed a hardſhip by them. He did not know that any orders had yet been given for the encampments for the preſent year, and it would be time enough to take ſuch a motion into conſideration, when it was determined how the militia corps ſhould be ſtationed.

This brought up Mr. *T. Townſend*, who ſaid, it would be like hanging a man firſt, and trying him afterwards; as to the competency of that Houſe adviſing his Majeſty in caſes like this, he thought it a right as the repreſentatives of the nation; and he was afraid the preſent mode was intended only to harraſs and perplex the officers, particularly thoſe in

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the country intereſt, that they might make room for the miniſter's favourites; he had ſeen two lord lieutenants diſplaced in a ſhort time, he ſuppoſed, occaſioned by their freedom of giving their ſentiments; ſimilar incidents would probably happen. The inconvenience and fatigue of being removed to a diſtance of three or four hundred miles from their own counties, was extremely hard, eſpecially when it was conſidered, that they would have been more ſerviceable, if neceſſity had required, nearer their own native ſpot. Moreover, inſtances he believed could be produced of corps having been ordered forty or fifty miles from the places they had been at for ſome time, where they ſtaid a few days, and were then remanded to their former ſtation, for no other reaſon that he could conceive, than that of harraſſing as much as poſſible. As to the men obtaining a furlough in caſe of a general election, in his opinion, it was not a ſufficient anſwer to the objection ſtarted; for ſuppoſing a furlough was obtained, probably before the man reached the place, he having ſome hundred miles to travel, the election would be over.

Lord *Beauchamp* could not think the motion either neceſſary or proper. The Houſe interfering with the executive power was unprecedented; it ought not to be infringed upon; and the ſuppoſition that men would be deprived of giving their ſuffrages, was done away by the admiſſion of a furlough. He did not believe that any gentleman had ever been diſmiſſed from any ſituation for giving his ſentiments freely; nor did he believe that the troops had been ordered to march to diſtant places through a motive of harraſſing them.

Sir *William Guiſe*, Sir *James Lowther*, Sir *George Saville*, Mr. *Dempſter*, Mr. *Stanhope*, Mr. *Johnſtone*, and Mr. *Martin*, ſpoke ſtrongly in favour of the motion; they thought it extremely hard for men to march ſome hundreds of miles from their own counties, where, if they had ſtaid, they could have been doubly uſeful, for if there had been a neceſſity of their being called out, thoſe who came from the North to the South knew no more of the ground they were to be employed on, than if they had been in Ruſſia; they contended that one hundred men on the ground they were acquainted with were more ſerviceable than two hundred who were ſtrangers to it.

Mr. *Jolliffe* was very ſevere on the militia colonels; ſaid they were the greateſt tyrants he ever knew; that they carried their political principles to ſuch a pitch, that if an inferior officer differed from them, he was ſure to be called to

an account on every frivolous occaſion, and perhaps tried by a court martial. He himſelf had received ſo much bad treatment on that account, that he was under the neceſſity of reſigning. The gentlemen, therefore, on the other ſide, had very little cauſe of complaint as to the conduct of thoſe who had a power over them.

Mr. *Sawbridge* knew not in what manner the honourable gentleman had been uſed, but he believed if he had experienced the conduct of the generality of the colonels, he would not have found them the tyrants he had repreſented. For his part he did not murmur at any thing which had happened to himſelf, but he could aver that he had not enjoyed a ſingle day of domeſtic felicity ſince the camps were formed; but he could by no means form an idea why the corps had been removed from place to place in the manner they had been; ſhould moſt certainly agree to the motion, as tending, in his opinion, to alleviating the fatigues of the men, and being likely to prove infinitely more to the advantage of the nation.

Colonel *Tuffnell* diſſented from the motion, on the ground that the Houſe had no right to interfere with the executive power.

Sir *E. Aſtley* contended that in ſuch a caſe the Houſe was authoriſed in interfering; he put a ſuppoſition that the troops might be ordered to ſurround the metropolis; it would then certainly become their duty as repreſentatives of the people at large to give their advice.

Sir *William Meredith* was for the motion, and adverted to a matter he brought before the Houſe on the 6th of April, concerning the guards, &c. being ordered out; he had ſince found that the caſe was then a little miſrepreſented; but he could bring proof, that though not abſolutely ordered on duty, a double number had directions to be in readineſs, if it was thought expedient to call for them.

Sir *Charles Cocks* did not deny ſuch directions having been given, but it was at the requeſt of a civil magiſtrate, and that civil magiſtrates had always a right to requeſt ſuch aſſiſtance whenever they thought it expedient.

Sir *William Meredith* knew not how it came that ſuch power was inveſted; and thought it was neceſſary to have the magiſtrate brought to the bar of the Houſe, to give his reaſons for his conduct.

Mr. *Fox* ſaid, he had been told that ſuch a tranſaction had happened, but as he could not come at facts, did not think

think it proper to trouble the Houſe with mere hearſay intelligence; but now the fact was allowed, he thought it incumbent to riſe: he was glad to hear the honourable Baronet pledge himſelf to bring, if poſſible, the magiſtrate to the bar; it was in fact an act of juſtice, becauſe it might then appear he had other reaſons than that there was that day a meeting of the inhabitants of Weſtminſter, and alſo a propoſition concerning the county petitions to be taken into conſideration in that Houſe; but if the civil magiſtrate had a power to call out the military at pleaſure, he thought it would be adviſeable on all public occaſions to go to the meetings armed, that the perſons preſent might have ſome opportunity of defending themſelves.

Lord *North* went on nearly the ſame grounds as Mr. Jenkinſon and Lord Beauchamp had done; and concluded with moving that the order of the day might be read.

Sir *James Lowther* having early in the debate pledged himſelf, that if the preſent motion was loſt, he would make one of a ſimilar kind at a ſhort period, Sir George Yonge would not now perſiſt in urging it further, as matters of great importance were to be agitated. The motion was conſequently loſt without a diviſion.

The Grenada bill was now propoſed to be taken into conſideration; but Colonel *Barré* obſerving the lateneſs of the hour (eight o'clock) for a matter of ſuch magnitude to be begun upon, called on Lord North to know how far he meant to proceed in it, as he thought it would be neceſſary to begin at noon-day, rather than to make a midnight buſineſs of it; he alſo called upon his Lordſhip to know whether he intended to name the commiſſioners in the committee, or when the bill was reported?

His Lordſhip anſwered, he had been adviſed by two learned friends, not to name the commiſſioners till the report.

Col. *Barré* thought this unfair, as it was impoſſible for gentlemen properly to ſpeak to it, till they were acquainted to whom the power was to be inveſted; and, on every conſideration, wiſhed that it might be poſtponed till ſome day, when they might enter upon it at a very early hour.

Lord *North* had no objection to poſtponing it, only that the multiplicity of buſineſs before the Houſe would prevent entering upon it for a conſiderable time.

After much altercation it was agreed to poſtpone it till the next day.

The Houſe afterwards formed itſelf into a committee on the ſalt bill. Mr. Gaſcoyne brought up a clauſe in favour of the gentlemen of Lancaſhire and Cheſhire, which occaſioned ſome converſation, and the Houſe was divided, when there appeared a majority of two to one againſt it.

April 26.

The order of the day was read for the ſecond reading of the bill, "To continue for a time to be limited, the proviſions of an act of the laſt ſeſſions, intitled, An act for the more eaſy and better recruiting his Majeſty's land forces and marines."

The bill was warmly oppoſed by Mr. *Turner* and ſeveral other Members.

Sir *Philip Jennings Clerke* ſaid it was totally contrary to the ſpirit of the conſtitution, and that it would anſwer no end whatever, but being expenſive to the nation, and oppreſſive to the people.

Colonel *Barré* confirmed what had been aſſerted by the honourable gentleman, obſerving that the right honourable gentleman who brought in the bill, did not ſtate the numbers procured by the preſs act to amount to more than 3000 men in the courſe of the laſt year, which 3000 men might be obtained at 10l. 10s. *per* man, the whole coſt of which would not exceed 30,000l.

The *Secretary at War* replied, that the preſs act anſwered much more beneficial purpoſes than the number of men procured, as men who would never have entered into the ſervice, had not the terror of that act operated on their minds, offered themſelves voluntarily; he ſaid, beſides, that the ſubſtitutes were eaſier had, and the marine recruiting ſervice had been nearly doubled to what it had been, previous to the paſſing of the act.

Sir *Cecil Wray* ſpoke ſtrongly againſt the bill; he mentioned a particular fact, that out of 450 impreſſed men which had been ſent to camp, where he ſerved, no more than two were retained by the commanding officer, one of which was a French cook, who, for his ſkill, was much wanted; the other a negro, who entered as an officer's ſervant.

Many other ſtrong circumſtances were mentioned, the moſt remarkable of which was, that one hundred impreſs men who had been ordered to join a marching regiment in camp, were brought in irons cloſe to the lines; two guineas *per* man were charged to the regiment, and it was obliged to receive them; before, however, they were marched within

the lines, the Commander in Chief being informed that they were in irons, gave orders to have the irons knocked off, that the ſervice ſhould not be diſgraced. In a few days after, the Colonel being aſked how many recruits he had, and how he liked them, he replied, that out of the whole number, he kept but two, though the regiment had been put to ſo great an expence.

Sir *Edward Aſtley*, Sir *Joſeph Mawbey*, Sir *George Yonge*, Mr. *J. Johnſton*, Mr. *Fox*, and Mr. *Dempſter*, ſpoke againſt the bill.

The *Secretary at War* roſe a ſecond time, but urged nothing new in reply. The queſtion being put, the Houſe divided, Ayes 94. Noes 39.

The bill was accordingly read a ſecond time, and committed.

April 27.

Sir *Charles Bunbury* having brought up the report of the committee on the Grenada bill,

Mr. *James Luttrell* ſaid he did not riſe to oppoſe the bill, neither had he any intention to object to its paſſing; he roſe merely to ſtate a difficulty which had preſſed a good deal on his mind, as likely to attend the operation of the bill, if not provided againſt in ſome way or other; he wiſhed therefore to have anſwer in what manner the bill, if it paſſed into a law, would operate upon thoſe captains of Britiſh cruizers, &c. who ſhould take any ſhip freighted from Grenada, and ſhould ſell the veſſel and cargo, conſidering it as matter of legal ſeizure, before the knowledge that the act had paſſed, could poſſibly come to ſuch captains? He conceived that an officer might in the full perſuaſion that he was doing his duty, ſeize a ſhip freighted from Grenada, and imagining he was warranted by the laws of his country ſo to do, ſell the ſame; having done ſo after the paſſing of the bill, it might happen that when the circumſtance of the bill's having paſſed became known, the owners of the ſhip and cargo which had been ſeized and ſold, might come upon the officers for reſtitution, upon the authority of the preſent bill, and not merely claim the value, which the officers had actually received, for the ſale of the ſhip and freight, but that larger value which the owners might rate them at. He begged to know, how the officers would in this caſe be ſaved from the manifeſt injuſtice, which, as he had ſtated it, he preſumed they were liable to?

Lord *Beauchamp* thanked the honourable gentleman for the attention he had paid the bill, and the very proper remark he had made upon it. His Lordſhip then proceeded to ſtate the grounds upon which the bill had been moved, and drawn up. Grenada, gentlemen well knew, had behaved in ſuch a manner, as entitled the iſland to the conſideration and the favour of Parliament. The preſent bill was intended to put Grenada upon the ſame footing as that upon which Dominica and St. Vincent's ſtood. Thoſe iſlands having capitulated upon good conditions, were empowered to ſend their produce to Great Britain. Grenada having been obliged to ſurrender to the arms of France at diſcretion, could not do ſo without being liable to ſeizure and confiſcation. It was a fact well known to many merchants of London, that the reſidents of Grenada had large ſtocks by them of the produce of the iſland, which they wiſhed to tranſmit to this country, in payment of their debts and for other purpoſes; but that they would not ſhip a ſingle article for Great Britain, unleſs the preſent bill was paſſed, giving them protection from the Britiſh privateers and cruizers, which rendezvouſed at the neighbouring iſlands of St. Lucia, and ſwarmed in the Weſt Indies. His Lordſhip having ſtated the neceſſity of paſſing the bill, ſaid, if ſuch a bill did not paſs, it would be holding out this language to the Weſt India iſlands, ſtill in our poſſeſſion: "When the enemy attacks you, don't attempt a reſiſtance, but make the beſt capitulation you can, becauſe if you reſiſt ever ſo bravely, and are forced to ſurrender at diſcretion, the Britiſh Parliament will ſhew you no favour." The impolicy of talking to our Weſt India iſlands in this ſtile, his Lordſhip ſaid, was ſo obvious, that he was convinced the Houſe would not heſitate a moment in approving the principle of the bill. The honourable gentleman had aſked what would be the operation of the bill, in caſe ſhips were reclaimed after ſale, by virtue of this bill? In anſwer to this queſtion, he begged leave to obſerve, that the appeals were by the bill to be heard before the judge of our admiralty court, and he preſumed the court of admiralty would, when the claim was made out, order repayment of the receipt for the ſhip and freight to the right owner, but only for the receipt, and without any expence whatſoever, to the ſeizer.

Lord *Mulgrave* returned his ſincere and hearty thanks to the honourable gentleman who had ſtarted the objection, for having done ſo. His Lordſhip ſaid, it well became that Houſe

Houſe to pay it due attention, becauſe the objection ſtruck him as valid, and it was their duty to take care on every occaſion, that captains in the navy, captains of cruizers, &c. ſhould not be liable to expence and manifeſt injuſtice, in return for their zealous endeavours to do their duty, and fulfil the purpoſe for which they were employed. He remarked that the preſent judge of the Admiralty was a gentleman of the firſt profeſſional talents, and perhaps better qualified for the office he held, than any one man who had ſat in that ſeat which he now filled. Nor was he leſs diſtinguiſhed for his integrity and ſtrict impartiality as a judge, than for his great abilities. Every perſon who knew him, reſpected and admired him; no one perſon more than he did. Perſuaded however, as he was, of the right conduct which would ever be adopted by that gentleman, he could not conſent to ſuffer the intereſt of the officers of the navy to remain at the riſk of any one man's will, nor did he conceive it ought to reſt on ſo precarious a dependence as any man's diſcretional interpretation of what an act of Parliament meant, where that meaning was not expreſſed. Every gentleman knew that it was an old maxim, *ignorantia juris non excuſat*. That maxim would operate as a bar againſt the only plea, that officers, who ſhould become reſpondents in the caſe ſtated, could uſe. He wiſhed therefore, that ſomething was done in the bill itſelf, to put the matter paſt all doubt, and ſave the officers from the predicament in queſtion, and for mentioning which, he begged leave again to thank the honourable gentleman.

After a few more words from Mr. J. Luttrell,

Lord *Beauchamp* roſe again, and ſaid that as ſoon as the bill was paſſed, the moſt effectual means would be taken to ſend printed copies of the act to the commanders and officers on every ſtation, and to make the promulgation of it as notorious and extenſive as poſſible; but if that ſhould not be thought ſufficient, the objection might be provided againſt by adding a clauſe at the third reading, as a rider upon the bill.

The *Solicitor General* read a clauſe from the ſtatute book, ſhewing, what the power of the judge of the Admiralty court in ſuch caſes was; and at length the bill was ordered to be engroſſed, it being firſt agreed to add a rider to it, for the purpoſe above ſtated, at the third reading.

When this buſineſs was over, Mr. *T. Luttrell* roſe, and complained of the general bad attendance in that Houſe, of the *puiſne* Lords of the Admiralty. He ſaid, if it was to be preſumed that the reaſon of it was the neceſſity of their attending on the public buſineſs elſewhere, he could only obſerve, that it had never in former wars occurred, that the preſence of the *puiſne* Lords of the Admiralty was thought ſo neceſſary out of that Houſe; if, however, the reaſon of their abſenting themſelves from Parliament, was as he had ſtated it, he could not but rejoice on one account, and that was, becauſe he was fully perſuaded, the noble Lord in his eye [Lord Mulgrave] was every way qualified to aſſiſt the firſt Lord of the Admiralty, and give him very good advice on profeſſional points. Let the Lords of the Admiralty, however, ſtay away from that Houſe or not, he ſhould perſevere in his duty, and make ſuch motions as ſhould to him appear proper. He then went into a conſideration of the immenſe expence of the navy, ſtating it to be greater than it was in the year 1760, and contending that the navy at preſent was not nearly equal to what it was in that period; for that notwithſtanding what had been ſo roundly aſſerted both in that Houſe and elſewhere, he would undertake to prove, that we had not now ſo many ſhips of the line in actual ſervice, nor ſo many ſeamen, real able ſeamen, as we had then. After arguing for ſome time upon the ſubject, he ſaid he had two motions to make then, which he meant to follow next week with more; before he made them, however, he wiſhed to prove, from the journals, that his motions were not unprecedented. He then deſired that the clerk might read an extract from 1740, 1741, and 1744, in each of which years it appeared that ſimilar motions had been made, and the accounts aſked for had been granted. Mr. Luttrell concluded his ſpeech with moving,

"That there be laid before the Houſe a liſt of all ſhips and veſſels of the royal navy, in commiſſion on the 1ſt of December, 1779, diſtinguiſhing their ſeveral ſtations at that time, their dates, and complement of men."

Lord *Mulgrave* roſe to object to the motion, declaring, that where a matter ſtruck him as proper in itſelf, although it ſhould appear that there was no precedent for it, he would much ſooner agree to it, than where, let ever ſo many precedents be quoted, the matter itſelf appeared improper to be aſſented to. The preſent motion was of the latter deſcription; it could give Parliament very little more information

mation than that which they had already upon their table, and it would furniſh the enemy with moſt important intelligence, which, with their utmoſt ingenuity, they could not otherwiſe get at. He appealed therefore to the Houſe, if it was either wiſe or prudent to accede to it? His Lordſhip denied that the navy was not now equal to what it was in 1760. He ſaid perhaps we might not have exactly the ſame number of ſhips of the line in actual ſervice, but the ſize of thoſe in commiſſion was larger, and upon the whole, our naval force was conſiderably greater.

Sir *Edward Aſtley* reprobated this anſwer as ſtale and unſatisfactory. He ſaid it was the common excuſe for keeping from Parliament that information, which every member had a right to call for; he bid the noble Lord therefore come prepared with a better anſwer when he roſe to refuſe accounts, which appeared neceſſary to be laid before that Houſe, in order to convince the repreſentatives of the people, that the immenſe ſums voted for the navy ſervice were faithfully applied, and neither waſted nor uſed for corrupt purpoſes.

Mr. *J. Johnſtone* alſo complained of the frivolity and fallacy of the noble Lord's anſwer; he was perſuaded the accounts would give no intelligence to the enemy, which they might not get at by other means.

Lord *Mulgrave* roſe again, and ſaid it was well known that 4l. a month, the ſum uſually voted for ſeamen, was not adequate to the expence, and that thence the extraordinaries of the navy became ſo large. With regard to the number of ſeamen and marines borne and muſtered, an account was already upon the table. The preſent motion was of a very different tendency; it required a particular account of the number of men on board the reſpective ſhips of the navy, ſtating the names of the ſhips, and where they were diſpoſed. The producing of ſuch an account, would give the enemy a complete knowledge of the ſtation of our whole navy, and would teach them where it would be moſt adviſeable for them to attack us; he could not therefore think of agreeing to give any ſuch account, and if gentlemen would but allow themſelves a moment's time to reflect on the ſubject, he did not doubt but they would join with him, in thinking that his objection was by no means trifling or inſignificant.

Mr. *Luttrell* in anſwer, ſaid, that the account on the table was no account at all. That a great number of the ſeamen included in that groſs amount were employed on ſhore, ſome thouſands in preſs gangs, who belonged to no ſhips' company, others were in priſons in France, and ſo on. What he

to get at, was an authentic account of the ſhips' com-
its, whereby the Houſe would be able to ſee the num-
men in actual ſervice, and thence judge for themſelves,
er the money he had voted, was honeſtly applied, or
ner it was uſed to purchaſe majorities in Parliament.
n regard to the noble Lord's objection upon the ground
the account would give the enemy a compleat knowledge
ne ſtation and diſpoſition of the navy; he ſaid, it would
e no ſuch effect, becauſe it only went up to the 1ſt of
cember, almoſt ſix months ago, and therefore the noble
rd was wrong in ſtating that it would give the enemy an
count of the preſent ſtation and diſpoſition of the navy.
we really had 100,000 ſeamen in actual ſervice, as ap-
eared on paper, ſo far from its being wrong to let the enemy
now it, it appeared to him the wiſeſt thing we could do, to
make them acquainted with ſo glorious a circumſtance. He
aſſured the noble Lord, for this and the other reaſons he had
ſtated, that if he perſiſted in refuſing the account moved for,
he would take the ſenſe of the Houſe upon his motion, even
though he ſhould ſtand alone on the diviſion.

Lord *Mulgrave* repeated his former arguments, and ſtrength-
ened them with ſome additional ones; after which the Houſe
divided upon the motion. Ayes, 42. Noes, 65.

Mr. *Luttrell* then moved his ſecond motion as follows:

"That there be laid before the Houſe an account of the
"number of men and marines borne, and the number muſ-
"tered, of the complement of the ſeveral ſhips and veſſels
"of the royal fleet, reſpectively, on or about the 1ſt of Dec.
"1779, together with the ſupernumerary ſeamen and marines
"on board the ſaid ſhips and veſſels."

[This motion paſſed in the negative without a diviſion.]

After Mr. Luttrell's motions were diſpoſed of, Mr. *Eden*
deſired to call the attention of the Houſe to the ſituation of the
American merchants. He ſaid that though he had acquieſced
on a former occaſion, in the expedient propoſed to enable the
ſhips to ſail by an act of the executive power, for which a bill
of indemnity ſhould afterwards be given; he had acquieſced
in that, partly becauſe he ſhared the general anxiety to give
ſome receſs from buſineſs for the benefit of the ſpeaker's health.
That the Houſe, however, ought now to recollect, that though
the treaſury warrants would enable the merchants to get clear-
ances from the ſeveral cuſtom-houſes at London, Liverpool,
and Briſtol, and though veſſels of immenſe value had actually
ſailed under thoſe clearances, [the cargoes amounting nearer to
1,600,000l. than to 600,000l. as he had before ſtated] yet
-- liable to ſeizure by any Britiſh veſſels, until an act of
Parliament

Parliament had actually paſſed to legalize them. Under theſe circumſtances the bill originally intended for this purpoſe had been returned by the lords with ſome amendments, which were likely to occaſion debates and delays. The ſituation then of the merchants' intereſts was become embarraſſing and difficult: Mr. Eden wiſhed however to ſtate the particulars which had led to that ſituation, as well to ſave the Houſe of Commons from the charge of undue negligence, in having paſſed a very faulty bill, as to protect the Houſe of Lords from the imputation of having made unneceſſary and wanton amendments. When the petition of the merchants was preſented in February, the Houſe ordered a bill to be brought in, for limited and proper purpoſes, eſpecially deſcribed in that order; it was natural then for the Houſe to repoſe on their own order, and to take for granted that it would be purſued. He was now ſorry to inform them, that the bill ſmuggled through the Houſe was, in every point, irreconcileable to the order on which it was founded. He ſtated the particulars, and ſummed them up with a remark, that the bill ſent to the Lords was a total, unqualified, and gratuitous repeal of the navigation act, opening the trade to Guernſey, Jerſey, and the Eaſt-Indies, and authorizing even an unreſtrained ſupply to the rebel colonies. He then turned towards Governor Pownall and ſaid, "This was your bill":—This was the bill which is now wiſhed to be printed and handed down to poſterity as a model of commercial and political wiſdom. It was an unhappy miſcarriage, a wretched embryo, a monſtrous abortion; and yet the paternal affection of its author was ſuch, that he had wiſhed to preſerve it in ſpirits, to ſtuff it into a bottle of Mrs. Vanbutchell's pickle, and to carry it about the world in his pocket as a proof of prolific vigour.—Mr. Eden, however, intreated him to divert his grief by a kind regard towards the healthy and well-formed offspring now brought to his door from the other Houſe; he wiſhed, for the hon. gentleman's conſolation, and for the intereſts of the public, to tempt him to adopt the living child, and to put the little pickle upon a ſhelf.—Mr. Eden next ſtated the amended bill, and ſaid, that it was nearly the reverſe of the other in every point of political expediency, commercial advantage, and parliamentary preciſion; he intimated, that the amendments had been made by the Lord Chancellor, upon a full and frequent communication with merchants, with the cuſtom-houſe, and with other perſons ſkilled in the ſubject. "This [ſaid he] is your bill." He then held it up to the Houſe, and after obſerving that it was ſcratched in every clauſe and in every line, reminded the Houſe of the *ſtory of Sir John* Cutler's ſtockings, which were darn-

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ed and mended 'till there was not one original thread remaining. - The Houſe of Commons had ſent from the hon. gentleman's loom a pair of black worſted ſtockings, full of holes, rotten, miſ-ſhapen, and all calf; the Houſe of Lords had mended them with white ſilk, had picked out the woollen rags, and returned, in ſhort, a pair of ſilk ſtockings, of excellent ſhape and fabric. He aſſured the hon. gentleman that theſe new ſtockings would well become his leg, and entreated him no longer to have any hankering after the old tatters. He then apologized for any harſhneſſes which he might have uſed; they were meant towards a particular bill, and not to leſſen the confidence which the Houſe might on other occaſions repoſe in the hon. gentleman's buſy and active talents.

Governor *Pownall* began his reply with ſome warmth. He ſaid he ſhould not attempt to follow the hon. gentleman through his witticiſms, becauſe if he had wit at will, he did not think the proper time for exerciſing it, was on a ſubject of very ſerious national importance. The Houſe of Lords, in their conduct reſpecting the bill which they had ſent back on Monday laſt, had made an unconſtitutional attack on the privileges of the Commons, in which attack they were now ſeconded by the honourable gentleman who ſpoke laſt, and had defended the outrage without ſhame. So far from reprobating the Lords for their conduct, the hon. gentleman had profeſſed himſelf the panegyriſt of the other Houſe, on the occaſion; he ſhould not therefore conſider the hon. gentleman's wit, but his ignorance, which he would expoſe in ſo ſtrong a point of view, that if the honourable gentleman was not dead to all ſenſe of ſhame, he ſhould feel his error and wiſh he had ſaved him the trouble of correcting him, and had not given him ſuch an opportunity of exerciſing thoſe buſy and active talents, which the honourable gentleman had affected to laugh at; when he ſaid this, he declared he lamented, that in the preſent caſe, he could only expoſe the ignorance of one lord of trade; he had a ſtory to tell, which would provethe ignorance of the whole board. The bill which the honourable gentleman had mentioned his deſign to bring in as a new bill, was the bill amended by the Lords, and however lightly or ludicrouſly the honourable gentleman might think proper to treat it, was a direct attempt, now for the firſt time openly made, to ſupercede by act of Parliament, the commercial laws and conſtitution of this country, ſubjecting by law [if ſuch an act of Parliament may be, and become law] the perſons, property, and commerce of this kingdom, trading to the *Colonies*, wherever his Majeſty's arms can get poſſeſſion of

them,

them, to the diſcretionary, arbitrary, legiſlative, and executive power of a military magiſtrate, who is to make laws, and execute them as to him ſhall ſeem neceſſary.

Having ſaid this, the Governor proceeded to give the hiſtory of the bill, previous to its going up to the other Houſe; and then was entering into a circumſtantial deſcription of the nature and tendency of the amendments made by the other Houſe—when he was called to order by Sir *George Yonge*, who ſaid, that the amendments made by the Lords, to which the hon. gentleman ſeemed proceeding to ſpeak, were not yet properly before the Houſe, but ſtood upon order of the Houſe for the next day.

Mr. *Burke* ſuggeſted, that it ſeemed to preſs in point of time, that the gentleman who firſt ſpoke, had mixed his wit with ſome little anger; that the other had begun with anger, and if allowed to go forward, would no doubt grow witty.

He was called to order by Governor *Pownall*, who wiſhed to know whether any queſtion was yet ſtated, that he might ſpeak to it regularly.

The order of the day was then moved, and Mr. *Eden* concluded the converſation by ſaying, that he had no wiſh or anxiety on the occaſion, except a general one for the intereſts of the merchants, and the ſupply of New York; that he had been prepared to move for a new bill preciſely in the words ſent by the Lords, but that it was perhaps premature; that with regard to the honourable gentleman's charge of blameleſſneſs and want of information, he would only ſtate an old anecdote from a jeſt book: When Dr. Radcliffe told Mr. Jervais that he might do any thing, provided he would not draw his picture, Jervais anſwered, That he could take any thing from Doctor Radcliffe, except his pills. The honourable gentleman, ſaid Mr. Eden, is very angry at my deſcription of his performances; I have only to ſay, that I can take any thing of him in a Parliamentary way, except his bills.

Lord *George Gordon*, after obſerving in a good double pun, that Mr. Eden had given ſome ſilken praiſes to the Lords for having worſted a member of the Commons, ſaid he had a petition from Ayrſhire to preſent to the Houſe. Before however he preſented it, he thought it neceſſary to ſay ſome few matters, worthy their attention. His Lordſhip went into a ſeries of obſervations and remarks, on what had fallen from Lord Nugent and Mr. Adam in the courſe of Monday's debate, arraigning the former of having ſpoken mere-

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ly of the conduct of Charles I. in civil matters, and applauding the latter for blaming that weak Prince for his religious as well as his civil conduct, declaring that it was owing to his religious principles chiefly, that all his misfortunes were aſcribable, and that the family of the Stewarts, the rightful heirs to the throne of England, were deprived of their inheritance, and both King William and the preſent family called in to reign over a people, whoſe laudable averſion to popery made them deteſt and abhor all Princes affected to that intolerant religion.

In his uſual and very ſingular way of ſpeaking, his Lordſhip brought in a number of ſtrange alluſions to recent matters, tying and connecting what had occurred many years ſince, with what had occurred lately, in a moſt extraordinary manner. Talking of James II. he ſaid that Prince had for a long time concealed his popiſh inclinations, but at length he became ſo barefaced, that he received Ferdinando Dada as the Pope's Nuncio; there were good and bad Lords then, he ſaid, as well as now, for the Duke of Somerſet refuſed to introduce the Nuncio, knowing that he would have been guilty of treaſon had he done ſo, and he loſt his place for his refuſal; but the Duke of Grafton did the job. He ſaid he ſhould not wonder, if the religious grievances of the people were not redreſſed, to ſee popery get to ſo great a height in this country now, as it did in any popiſh reign; nor ſhould he be ſurprized if another Ferdinando Dada was to enter that Houſe in his pontificalibus, and take his ſeat there. He took occaſion to animadvert on the powers of corruption in the power of the treaſury bench; and quoted Lord Chatham's authority, to prove that there were greater means of buying mens' votes than with either the profits of official emolument, penſions, or places, and that was by titles. The Earl had ſaid, "get but the thoughts of a title into a man's head, and he'll do any thing to obtain it." He told the Speaker, he had heard a noble Lord wanted to buy him with a title. He adviſed him by no means to accept of it. He bid him remember that Lord Chatham was ſunk by a title, and loſt his popularity in conſequence of his accepting one. Should he [the Speaker] be weak enough to accept a title, his popularity would be irrecoverably gone; the yeomanry would deſpiſe him; he adviſed him, therefore, to preſerve his preſent dignity. Don't, ſays he, Mr. Speaker, be cozened by a title. Why, Sir, the King has it not in his power to ennoble

ennoble you. Lord Onſlow has got a title, and would you accept of one? No, Sir, I hope you are above it; I hope you'll continue ſerving your country, in making excellent ſpeeches for the people's rights, as you did from the treaſury bench a few weeks ago. I look upon you, Sir, and the member for Briſtol, and the member for Malmſbury, and my worthy friend the member for Calne, as four of the firſt men in the kingdom, Sir, in point of abilities. It is in this Houſe only, that ſuch men can beſt ſerve their country; therefore, Sir, I adviſe you to ſtay where you are.

His Lordſhip was, in the courſe of his ſpeech, repeatedly called to order by different members, and deſired by the Speaker, at the inſtance of the Houſe (who often called out chair! chair!) to confine himſelf to the ſubject matter of the petition. His Lordſhip took the advice very patiently, but each time that he was called to order, roſe again, and purſued his ſpeech with the utmoſt compoſure; at length, however, the Houſe would not bear ſuch diſorderly conduct any longer, and his Lordſhip of neceſſity adverted to the petition, which he ſtated to be the petition of the people of Ayrſhire in Scotland, praying for leave to bring in a bill to repeal the late acts paſſed in favour of the Roman Catholicks.

The petition was, upon motion, brought up, read, and ordered to lie on the table.

The order of the day was then read for the third reading of the wine duty bill.

A ſhort debate took place, in which Sir Edward Aſtley, Sir Cecil Wray, Sir Philip Jennings Clerke, and Sir George Savile ſpoke. The reſult of the debate was, a motion put by Sir Philip Jennings Clerke, that the third reading be poſtponed till that day ſe'nnight. The arguments on which this motion reſted, was, that it was not right to impoſe new burthens on the ſubject, however neceſſary, till ſomething had been done for the people, in conſequence of their petitions. At length the Houſe divided,

Ayes, 67 Noes, 128

The bill was then read a third time and paſſed.

The order of the day was afterwards read, for the third reading of the ſtamp duty bill.

This gave riſe to another debate. The oppoſition was grounded in the ſame manner as before. The Speakers were, Sir George Savile, Mr. Burke, General Conway, Mr. Fox, Lord North, Mr. T. Townſhend, Lord George Gordon,

don, Mr. Medley, Mr. Hopkins, Sir Philip Jennings Clerke, and Sir Joſeph Mawbey.

Sir *George Saville* and Mr. *Burke* having contended that it was the duty of the Houſe to exerciſe the power of the purſe, (which a noble Lord in a former debate had told them they poſſeſſed) on the preſent occaſion, and to with-hold the taxes, till ſomething effectual was done for the people,

General *Conway* roſe, and ſaid, that he could not help differing from his honourable friends on the preſent occaſion; he thought the Houſe were bound, as they had voted the ſupply, to vote the ways and means; if they had objected to voting the ſupply, till the grievances of the people were redreſſed, that, he ſaid, would have been Parliamentary and fair, not that he ſhould have come into the meaſure. If his friends perſiſted in dividing the Houſe upon the preſent occaſion, he ſhould find himſelf obliged to vote againſt them, and he hoped as he had been no great favourer of the meaſures of adminiſtration, though certainly no enemy to government, his doing ſo would not be wrongly interpreted. He repeated it, that he thought Parliament pledged to vote the taxes, having voted the ſupply.

Mr. *Fox*, in a very able ſpeech, controverted this poſition, and declared, that though he neither entirely agreed with his honourable friend who ſpoke laſt, nor with either of his two honourable friends who ſpoke before him, he was perſuaded the doctrine he had juſt heard was erroneous. So far from the ſupply being the propereſt matter to refuſe voting, as a right exerciſe of the power of the purſe, he was convinced to the contrary, though he had himſelf oppoſed the ſupply, and thought if the Houſe had done the ſame, the riſque would have been ſo little, and the advantage to the public ſo great, that the Houſe would have done right. Had they joined him, at leaſt ſo as to make a majority, and refuſed to vote the ſupply, till the petitions of the people were complied with, he was perſuaded the grievances complained of would long ere this have been redreſſed. Let his honourable friend recollect what was the conſequence of refuſing to vote the ſupply. It was this: The loan was ſtopped; the money could not be had, the navy could not be equipped, the army could not be ſent out, neither could any preparation for the public ſervice be made! Was the conſequence of refuſing to vote the ways and means the ſame? Moſt certainly not. The miniſter having his ſupply voted, had made his loan, and could equip the fleet, and ſend out the army.

army. The ways and means being delayed, made no difference whatever. It was, therefore, at leaſt more prudent and perhaps equally effectual, to refuſe voting the ways and means, as to refuſe voting the ſupply. When the ways and means were voted this year, they had been voted contrary to the rule of Parliament, which was another reaſon for voting againſt them now. Mr. Fox uſed a variety of arguments to convince the Houſe, that agreeable to the reſolution of the 6th of April, they ſtood pledged in the moſt ſolemn manner, to redreſs the grievances of the people, before they impoſed new grievances; new taxes, he ſaid, were undoubtedly new grievances; and therefore it was the duty of the Houſe to do ſomething for the people, before they did more for the crown. He contended that the ways and means were grants to the crown, and therefore as one means of keeping Parliament ſitting 'till ſomething effectual was done in compliance with the petitions of the people, he adviſed every one of the 233 of the 6th of April, to vote for ſuſpending the tax bills.

Lord *North* ſaid he could not but think the Houſe ſtood pledged to vote the ways and means, having voted the ſupply; he did not mean to ſay that gentlemen were bound to approve of every tax propoſed; nay he would go farther, they were not obliged to propoſe other taxes in the room of thoſe they diſapproved; they had a right to expect that the King's ſervants would produce others that ſhould be more unobjectionable, but when the Houſe had encouraged the King's ſervants to make a loan, they certainly were bound to take care of the money lenders, and to give them good ſecurity for payment of the intereſt of their money, otherwiſe the ſinking fund muſt ſuffer very deeply. Gentlemen ſaid, delay would make no difference; he begged leave to tell the Houſe, that the aſſertion was altogether founded in error. The public revenue ſuffered by every day's delay. It had ſuffered very conſiderably by the unavoidable delays, which had happened already; by the delay occaſioned by the receſs, and by the laſt delay in conſequence of the Speaker's indiſpoſition. The public were great loſers on account of delay; he hoped, therefore, the Houſe would prevent farther loſs to them; and as to the idea of keeping Parliament ſitting, by not voting the tax-bills, that was idle and unneceſſary. There was ſo much buſineſs of very great importance before Parliament, that it would be impoſſible to riſe very ſoon; the buſineſs already in agitation every gentleman

must

muſt know, would take up a conſiderable time before it would be finiſhed. His Lordſhip explained Mr. Fox's aſſertion, that the ways and means had this year been voted contrary to the rule of Parliament, by ſhewing, that though in appearance the fact was ſo, in reality it was otherwiſe, becauſe that part of the ſupply, more than that made it equal to the ways and means, which had not been voted, at the time that the ways and means were voted, was known to the Houſe, and was for expences brought forward from the laſt year, the accounts of which were not ready to be laid on the table on the day of the budget, but had ſince been laid on the table.

Mr. *Burke* replied, and Mr. *T. Townſhend* ſpoke for ſome time. The chief argument of the latter was, that as the taxes were not ſtated in the bills to take place before the firſt of June, it could make no difference, provided they received the royal aſſent by that day.

Lord *George Gordon* began with ſaying, that he had a new opinion to give, and that was, he ſaw clearly that the preſent miniſtry would hold their places, the taxes would all paſs, and the petitions of the people would be diſregarded. The reaſon why he thought ſo, was, becauſe he found the oppoſition to be a rope of ſand; they were falling to pieces every day; they had no firmneſs, no unanimity. [Mr. T. Townſhend, who ſat next his Lordſhip, aſked him, what made him imagine ſo?] He ſaid, he had the beſt authority for this; the members of oppoſition ſaid it themſelves; for how had the honourable member for Malmeſbury began his ſpeech? Had he not in ſo many expreſs words ſaid, he differed from his honourable friend, the member for York; he differed from his other friend, the member for Briſtol; and he differed from the honourable general over the way! Would oppoſition after this talk of unanimity? Beſides, what was their language at county meetings, committees, &c.? The honourable member for York differed about the teſt propoſed at the York meeting. The honourable member for Weſtminſter was for annual Parliaments. "No, ſays the member for Briſtol," (who belonged to no committee, and had figured away at no meeting) "I am neither for annual, nor triennial, but I ſtick to ſeptennial Parliaments!" The fact was, each of the great leaders of oppoſition was connected with a party who had been in government, and each thought himſelf obliged at all times to adhere to the original principles and political ſyſtem of that party. The people, therefore, had no confidence in the great leaders of oppoſition in that houſe; they ſaw their diſunion among themſelves,

themſelves, and they would not truſt them. His Lordſhip went on thus: I ſay, without the people, nothing can be done, Mr. Speaker. In vain, Sir, is all your ſlaving in the chair, and your ſlaving on the treaſury bench, unleſs the people are with you: One ſide of the Houſe, Sir, is thought as ill of without doors as the other; the people think neither are to be truſted, and while that's the caſe, it is in vain to hope for any good. The people, Sir, don't mind what's done in Parliament. Why, Sir, the day after the contractors bill was thrown out by the Houſe of Lords, which was a very violent meaſure, I went out into the ſtreets, and I ſaw all the people in their ſhops about their ordinary buſineſs as if nothing had happened. I was at Boſton, Sir, at the beginning of our diſputes, and there when any great queſtion was in agitation, the people regarded nothing elſe till it was decided one way or the other. I repeat it, therefore, Mr. Speaker, that without unanimity among themſelves, oppoſition can do no ſervice to the people.

Sir *Joſeph Mawbey* charged Lord North with having impoſed a new tax on the public, without the conſent of Parliament; and in proof of this aſſertion, ſaid, that either the noble Lord in the blue ribbon, or ſome other miniſter, had given to Mr. Jamineau, of the poſt-office, an excluſive right to ſend newſpapers into the country, in conſequence of which all the clerks of the roads were forced to buy their papers of him, and he charged them a farthing profit upon each; ſuch gentlemen, therefore, who lived in the country, and had papers ſent from the poſt-office, paid more for them than if they were ſerved by a newſman or bookſeller.

Mr. *Hopkins* warmly expreſſed his enmity to the preſent adminiſtration, but declared his great diſlike of dividing the Houſe on every trifling occaſion. It only bred animoſity, and extended diviſion.

At length the queſtion was put, and the Houſe divided upon it, *Noes* 211, *Ayes* 124.

The bill was read and paſſed.

The Houſe then went into a debate, whether the Speaker ſhould leave the chair, in order that the committee on the commiſſion of account bill might ſit.

Lord *George Gordon* wiſhed to adjourn in conſideration of the Speaker's health.

The *Speaker* thanked the noble Lord for his kind attention to him, but ſaid, he ſhould be out of the chair in caſe the Houſe proceeded; and if the caſe were otherwiſe, he begged no public buſineſs might ſtop on his account.

Sir *William Meredith* ſaid, as the noble Lord in the blue ribbon, he underſtood, meant to propoſe the commiſſioners by name, for inſertion in the firſt clauſe, it would undoubtedly give riſe to much debate; conſidering the late hour of the night, therefore, he thought the Houſe had better adjourn, and for that reaſon moved to adjourn.

Mr. *James Luttrell*, in a very ſtrong and able ſpeech, declared his objection to the principle of the bill, which, he ſaid, he conſidered as a perpetual injunction againſt Parliamentary enquiry. It tended to take away from that Houſe, one of two propoſitions, which he had ever conſidered to be inſeparably inherent in the Houſe of Commons, viz. the right of voting the public money, and the right of demanding an account of its expenditure. Mr. Luttrell ſeconded Sir William's motion for adjournment.

Mr. *Fox* ſaid if any perſon's health was to be conſidered, it was that of the noble Lord, on whoſe account he was very ready to adjourn. He thought it right however, to ſay, that he ſhould contend for his honourable friend's bill for reforming the civil eſtabliſhment ſtanding firſt for the next day at all hazards, whether the committee ſat on the noble Lord's commiſſion of account bill then or not, becauſe he wiſhed to go through that bill entirely the next day.

Lord *North* thanked the honourable gentleman for his conſideration of his health, but declared he found himſelf by no means incapable of going on. If the commiſſion of accounts bill were then deferred, there was no open day for it for a week to come, a circumſtance, he preſumed, that gentlemen were not aware of.

After ſome converſation upon it from Colonel Barré, Mr. Burke, Mr. Dunning, and Lord North, Mr. *Dunning* agreed to let his order of the day for the committee on the petitions, ſtand over to May 2.

April 28.

The order of the day, for the third reading of the Grenada Bill, being read,

Lord *Beauchamp* roſe, and moved an additional clauſe by way of rider. The clauſe gave an indemnification, under certain reſtrictions, to ſuch captains of Britiſh cruizers, as ſhould ſeize ſhips freighted from Grenada for Great Britain, and ſell the ſhip and cargo within a limited time from the paſſing of the act.

The clauſe was brought up, and being agreed to by the *Houſe*, the bill ſo amended was read a third time and paſſed.

At four o'clock the Houſe reſolved itſelf into a committee on *Mr. Burke*'s bill, and firſt took into their conſideration

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the clauſe for aboliſhing the office of the great wardrobe, the office of the removing wardrobe, the office of maſter of the robes, the office called the jewel office, and all the places and charges, whether of perſons preſiding in or dependent on them, or any of them, of what nature ſoever, except thoſe of one houſekeeper, and one wardrobekeeper (the ſaid places to be united after the poſſeſſion of the preſent occupiers) in each of his Majeſty's palaces and houſes.

Mr. *Burke* opened the debate by riſing to inform the committee why he had not attempted to meddle with the houſekeepers of the royal palaces. He ſaid, he found palaces of two kinds, real and virtual; palaces which were viſible and ſubſtantial, and palaces which were merely ideal, and had no exiſtence but in the intellects. On examining the red-book, he found at the head of the liſt of houſekeepers, Lady Mary Churchill, and ſhe was followed by a whole heap of petticoats. He declared he thought it extremely right that there ſhould be ſome reſpectable eſtabliſhment for women of condition and family, and therefore imagining that the places were all held by ladies, as well out of his natural reſpect for the ſex, as from the real feelings of his mind upon the occaſion, he determined not to meddle with one of them. He had however received no leſs than eight letters on the ſubject, begging him not to move for the abolition of the places of houſekeepers to the royal palaces, and among others one from Haverford-weſt, ſtating that John Manners, Eſq. was houſekeeper at Whitehall. He again referred to the red-book, for before, he had imagined it to be an error, and that it had either meant Lady John Manners, or Joan Manners; however, after bruſhing aſide the croud of hoop-petticoats which almoſt concealed him, he eſpied John Manners, Eſq. He ſaid, he immediately went to Whitehall, which he found to be one of the ideal palaces, without habitations for retinue, or capability of reception of reſidents. All he ſaw there was ſeveral paintings of nudities in the banquetting Houſe, by Peter Paul Rubens, and a painter buſy about them, who, according to the modern faſhion, was employed in correcting and improving the works of that great maſter. He ſaw, however, no houſekeeper, nor any occaſion for one, though five hundred pounds a year and better, was paid to John Manners, Eſq; for holding that office. He mentioned this, to ſhew at once that the office of houſekeeper to any of the royal palaces, was, generally ſpeaking, a mere ſinecure, which, however, as long as it was beſtowed on ladies of condition, ſhould receive no ſhock or violence from his hands. The reſt of the clauſe went to the abolition of the offices of the great wardrobe,

robe, &c. which undoubtedly were ſo far uſeleſs, that though they coſt a great deal of money, the committee muſt ſee the whole duty of them might be done at conſiderably leſs expence by other perſons.

Lord *John Cavendiſh* roſe, juſt to ſtate to the Houſe, that the office of the great wardrobe was of modern inſtitution, and that it had not been inſtituted under an idea, that it was to remain a permanent office.

Mr. *Gilbert* ſaid, that when he ſuggeſted to the Houſe, two years ago, the plan of œconomy and regulations upon which the preſent bill is founded, he hoped his Majeſty's miniſters would have adviſed him to have made the neceſſary enquiries, and to have directed ſuch retrenchments in his expences, as might have enabled him to have given ſome conſiderable ſums in eaſe of his ſubjects under their preſent burthens: if that had been done, inſtead of the petitions which have been preſented to this Houſe, his Majeſty would moſt probably have had the ſatisfaction of receiving addreſſes of thanks from his people.

That as he had upon a former occaſion intimated his opinion, that it would be indelicate to reform thoſe parts of the expenditure of the civil liſt which related to his Majeſty's houſhold, by act of Parliament; and as the Houſe had, in a former determination, avoided entering upon them, he thought it probable that they would adhere to the ſame rule, in their determination reſpecting the great wardrobe, now under their conſideration, as falling within that deſcription.

That he hoped the committee would pay ſo much credit to the part he had taken in public affairs, and to his conduct in life, as to acquit him of any intereſted views reſpecting that office, notwithſtanding he was a member of it; he aſſured the committee, that on every occaſion, where his own intereſt had ſtood in competition with that of the public, he had always preferred the latter.

That with the aſſiſtance of the maſter of the wardrobe, he had reformed ſuch abuſes in the office, as fell under his inſpection, as comptroller, and had ſaved his Majeſty 900l. per annum. That he did not wiſh to have that office freed from inſpection and regulation; on the contrary, he knew there were ſinecure places, and other things in it, which wanted reformation; but he did not think it proper to have them regulated by act of Parliament; rather wiſhing his Majeſty would be pleaſed to make the neceſſary reformations in all offices within his houſhold, by his own authority; and *that he thought* it might be proper for the Houſe to addreſs *his Majeſty* for that purpoſe, as it would, by the ſaving,

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furniſh him with the means, not only of relieving many particular diſtreſſed objects, which his goodneſs and humanity would lead him to, but alſo of giving relief and ſupport to his ſubjects in general, when oppreſſed by heavy taxes.

That he did not think himſelf of conſequence enough to make a motion of that ſort, but it coincided ſo much with his general ſentiments and wiſhes (which he had before expreſſed on many occaſions) that if any other gentleman would do it, he ſhould have his hearty concurrence and aſſiſtance.

Lord *Nugent* objected to the clauſe in queſtion, as tending very unjuſtifiably, in his opinion, to interfere with his Majeſty's domeſtic regulations. He ſaid, if the honourable gentleman, when he ſaw the painter at work in the Banqueting Houſe, at Whitehall, on the paintings of Rubens, had aſked that painter who he was, he did not at all doubt, but the man would have told him he was a reformer, and that he was attempting to reform and alter thoſe pictures which had been the original work of a greater maſter, and had been admired for a long ſeries of years. Juſt as the painter's attempts to correct the pictures of Rubens had ſtruck the honourable gentleman, did the honourable gentleman's bill ſtrike him; it was an attempt to reform, alter, and correct the conſtitution; he cautioned the honourable gentleman, therefore, how he proceeded; the conſtitution was the work of the old ſchool, the work of thoſe maſters, whoſe univerſal excellence and ſkill has been eſtabliſhed by the ſanction and approbation of admiring ages; let the honourable gentleman conſider, that the picture, however mellowed by the hand of time, had not loſt its original beauty, and that the rude hand of a modern reformer might, under the notion of correcting and improving, ſpoil the piece altogether.

Mr. *Burke* in reply, ſaid, the noble Lord's argument was an argument *ad verecundiam*, which he would readily anſwer. That which made the painter be employed to re-touch the almoſt inviſible ſtrokes of Rubens, made him turn reformer—the neceſſity of the times. That it was contrary to his genius, his temper, and his wiſh, contrary to every inclination of his mind, to attempt the invidious taſk he had then in hand; he did aſſure the noble Lord, however, that nothing but dire neceſſity had forced him upon it. He had long lamented the great and preſſing occaſion for ſome perſon to attempt a reformation in many of the great branches of the public expenditure. He had waited almoſt to the laſt moment, in hopes that ſome other perſon, whoſe ſuperior talents,

whoſe turn of mind, and whoſe zeal, would better qualify him for the office of reforming what was wrong; finding that nobody would do it, and the neceſſity of its being done preſſing more and more, he had at laſt ventured, unwillingly, upon a taſk which he diſliked as much as any man living. He did aſſure the noble Lord he would much rather have propoſed to build his Majeſty ſplendid palaces, to buy him the moſt valuable pictures, and to do every thing which could contribute to hold him up in all the poſſible ſplendour and magnificence of royalty, than to have taken upon him an office diſagreeable in itſelf, and ſure to create him enemies, viz. that of aboliſhing places in the houſehold, with a view, by making a trifling ſaving for the public, to aſſiſt ſomewhat towards the great expences they laboured under. Solomon, with all his glory, was ſaid not to be cloathed like the lillies of the field; our Solomon, with all his heart, might outvie the lillies of the field; he had not the ſmalleſt objection. He repeated it, it was the neceſſity of the times, and not his will, that made him a reformer. He could not, however, but wonder a little at the noble Lord's compariſon of his bill, and the objects of it, to a modern painter's reforming the pictures of Rubens; he ſhould have thought the ſimile of the old tattered worſted ſtockings, which had been uſed the preceding day, would have ſuited better, becauſe his bill was calculated not to alter the conſtitution, but to pick out the old worſted, to draw the rents together, and mend the holes. Such an office as that he had undertaken was far from being new. There was in the houſehold itſelf an office like it, and that was called the office of arras mender, whoſe duty it was to take care of the tapeſtry hangings, the works of old maſters, and which had been admired for a ſeries of years, but which (from the decay and rottenneſs occaſioned in them by the teeth of devouring time, and from the holes made in them by the teeth of rats, and other obnoxious animals, who ſheltered themſelves behind them, nibbling them away, and were continually preying upon them) were in danger of falling to pieces, and occaſionally required the aſſiſtance of the arras mender, to patch them up, and make them hold together.

Having ſaid this, he took up his minutes of the enumeration of the duties of the great wardrobe, ſtated by Mr. Gilbert, and in a vein of the richeſt ridicule, animadverted on each, keeping the committee in a roar almoſt the whole time he was treating of them. The firſt articles, he obſerved, were coronations and great funerals, two articles, which, he hoped,

hoped, would give no occaſion for the employment of the great wardrobe for many, many years to come. His Majeſty, he thanked God, had been bleſt with a vigorous and healthful conſtitution; in all probability, therefore, no gentleman preſent would live to ſee a coronation. The honourable gentleman had talked a great deal, and very pathetically, on the ſubject of great funerals; perhaps he foreſaw that the clauſe would paſs the committee, and as that would naturally effect the death of the great wardrobe, the honourable gentleman might have in view its funeral proceſſion, in which Lord Pelham, and the honourable gentleman, would neceſſarily walk as chief mourners, a ſight certainly very melancholy to behold, but particularly affecting to the honourable gentleman, and thoſe other officers who made up the ſolemn ſhew. Great funerals in general, Mr. Burke ſaid, were great follies; the worſt waſte of money that could be adopted. Now and then, indeed, when the nation meant to do honour to a deſerving character, to whoſe efforts, while living, it ſtood highly indebted, they were proper, juſtifiable, and even neceſſary. He had ſeen one ſuch funeral, and, there indeed, he muſt do the great wardrobe the juſtice to ſay, that they had rigidly adhered to that virtue, which it was one object of his bill to recommend and enforce, the virtues of œconomy! So œconomical, and ſo ſaving were the great wardrobe on that occaſion, that the cloaks were ſhort, ſcanty, and thread-bare, and no ſcarfs, nor hardly any thing neceſſary to be had. Perhaps, indeed, it was intended as a ſtroke of policy in the great wardrobe, who, knowing that the minority would be the chief attendants on that funeral, and remembering that it was the minority who made ſo much noiſe about œconomy in Parliament, were determined to treat them in their own way, and to ſhew that one public office at leaſt, attended with due deference to their doctrines, and carried their practice of œconomy, even beyond the bounds of decency.

The next article of Mr. Gilbert's liſt, which he took notice of, was the cloathing of the ſtate trumpeters; by theſe, he ſaid, he preſumed the writers for government were meant, who having ſo far ſucceeded in their efforts as to render miniſtry univerſally unpopular and deteſtable, certainly ought to be well taken care of and properly cloathed. He underſtood, however, that the noble Lord in the blue ribbon had, in that buſineſs, ſhewn ſome regard to the public, and by way of ſaving expence, had contracted to pay the work theſe writers undertook, by the groſs. After going through

ſeveral other articles, he ſaid, "ſo much for the work done for the crown, now let us ſee what is done for the people." Why, the great wardrobe furniſhes the Houſe of Commons, and the Houſe of Lords. The proper conſtitutional furniture of the former, he ſaid, were living figures, ſuch however as were ſometimes rather coſtly, and by the price of the purchaſe not very œconomically bought. With regard to the ſeats, it was impoſſible for him by the feel to aſcertain whether they were done by contract, or how, but there need, he thought, be no great expence laviſhed on them; matted ruſhes would inſpire as patriotic ſentiments to the perſons who ſat upon them, as ſoft cuſhions. He preſumed, that neither Lord Pelham, nor the honourable gentleman, troubled their heads about them; that if they did any thing that concerned furniſhing either Houſe of Parliament, it was by ſtuffing the woolſacks, and other metaphorical ſeats of the other Houſe. Having for a conſiderable time excited laughter by his wit, Mr. Burke returned to a ſerious conſideration of the clauſe, pointing out the great wardrobe, and other offices, as unneceſſary, and therefore as they coſt a conſiderable ſum, he ſaid, he thought they might well be ſpared, and ought to be aboliſhed.

Mr. *Medley* roſe to declare, that he wiſhed for œconomy as much as any gentleman preſent, but he never would conſent to touch any part of the King's eſtabliſhment. His Majeſty had given up his hereditary eſtates in exchange for that civil eſtabliſhment; the matter, therefore, excluſive of its having turned out exceedingly advantageous to the public, was a matter of bargain between Parliament and the crown, and being once made, that Houſe had no right whatever to interfere with it, or break it; for which reaſon, as long as he ſat in that Houſe, he never would conſent to alter or touch a ſingle hair of it. When he ſaid this, he begged not to be ſuppoſed to ſpeak from any ſiniſter or intereſted view. He was as independent a man as any gentleman preſent; he did aſſure the Houſe he never would either aſk or accept of any favour from the crown, and if he was then at his Majeſty's feet, he would ſay the ſame.

Mr. *Hopkins* ſpoke in ſupport of the clauſe, declaring that the offices meant to be aboliſhed by it, coſt a great deal of money, and anſwered no good purpoſe whatever.

Sir *Richard Sutton* condemned the clauſe in very ſtrong terms, and reprobated the idea of furniſhing the royal palaces th furniture, pictures, &c. by contract, as a mode of treating

treating the prince equally degrading to him, and mean and pitiful in that Houſe to attempt to enact by act of Parliament. He mentioned the King of Pruſſia's wardrobe, as deſcribed by Dr. Moore in his late publication, in proof of the wretched manner a king cloathed by contract would appear.

Mr. *Burke* replied to Sir Richard Sutton, and obſerved that the honourable Baronet had been ſpeaking to a wrong clauſe, for that there was not one word about contracts in the clauſe then before the committee. Mr. Burke ſaid, he had been uſed to hear of the King of Pruſſia as a great ſoldier, a great legiſlator, and though with many ſtrong foibles as a man, was one of the greateſt monarchs of the preſent century. His œconomy was worth our copying.

Sir *Richard Sutton* roſe again, and ſaid the honourable gentleman was miſtaken, for if he looked to page 7 of the bill, he would there ſee a clauſe referring to the clauſe now before the committee, by which it was enacted, that all furniture and other moveables, to be purchaſed for the uſe of his Majeſty's houſehold, were to be contracted for by the Lord Chamberlain; a clauſe which every gentleman muſt ſee the abſurdity of, becauſe in ſome caſes it was impracticable, particularly in the purchaſe of pictures.

Mr. *Burke* told the honourable Baronet that he had never deſigned to abridge his Majeſty either in furniture, pictures, &c. &c. but that if his bill had paſſed altogether as he brought it in, his Majeſty might have had juſt whatever he choſe, only he would have been certain of being better ſerved. With regard to pictures, Mr. Burke ſaid, he had ſeen ſome in his Majeſty's palaces, which he ſhould have imagined had been bought by contract, and thoſe very badly bought, they were ſuch miſerable worthleſs pieces. He begged the honourable Baronet, however, to recollect, that finding gentlemen in general were averſe to the King's being ſerved by contract, he had himſelf declared, he ſhould drop all that part of the bill, and, where it had occurred, as in page 4, reſpecting the Lord Steward, he had paſſed over the clauſe altogether. He aſcribed the honourable Baronet's talking of a clauſe two pages off, inſtead of that under conſideration, to his conſciouſneſs that there was no ground for objection in that clauſe which was really before the committee.

Lord *North* roſe to ſpeak to the clauſe, which he objected to generally, declaring his diſinclination to tear the King's houſhold to pieces by act of Parliament, and his determination to oppoſe every ſuch attempt. His lordſhip ſaid, there were

offices

offices jumbled together in the clauſe, which had no ſort of analogy whatever, nor could he conceive on what ground the honourable gentleman had put them into the ſame clauſe. The office of maſter of the robes, he declared, had no connection with the great wardrobe. It was an office held by a very good friend and near relation of his [the honourable James Brudenell] and an office of a very different nature, he believed, from what the honourable gentleman imagined. The maſter of the robes was always conſidered as firſt groom of the bed-chamber, and had the entrees the ſame as the others; as the honourable gentleman, therefore, had declared he did not wiſh to meddle with them, he preſumed he would not wiſh, when he knew what he then told him, to aboliſh the office of maſter of the robes.

Sir *Horace Mann* ſaid, he had already declared his diſapprobation of violent meaſures, and for that reaſon had expreſſed his objection to committees of aſſociation. He lamented the abſence of Mr. Pitt, whoſe bad ſtate of health he deſcribed as the cauſe, and ſpoke of his diſintereſted zeal for the public welfare, and his great abilities, in terms of the warmeſt panegyrick. He declared, the extract from the reſolutions of the meeting held at Cambridge, on the 10th inſtant, which Mr. Pitt had read to the Houſe a few days ago, had given him the higheſt ſatisfaction, inaſmuch as they exactly coincided with his own ſentiments. He begged the Houſe, however, to attend to the grounds upon which the Cambridge reſolutions were founded—a flattering expectation of the further interference of the Houſe of Commons, with regard to the grievances complained of by the petitions of the people, and a confidence that what they ſhould do in conformity to their ſolemn reſolutions of the 6th of April, would give effectual relief. He bid the Houſe, therefore, conſider, that they muſt do ſomething that would fall in with the expectations of the people, and not abuſe their confidence. The objects of the clauſe under conſideration, he thought were very important, and as they tended towards œconomy, coincided with the petitions of the people; but, perhaps, it would be more reſpectful to the crown to do the buſineſs by addreſs, rather than by act of Parliament. He wiſhed his honourable friend had been preſent to take the lead in ſuch a buſineſs; he would gladly have followed him upon it. He declared, that it appeared to him a very proper ſtep, and if no other perſon would do it, he ſaid, unworthy and humble as his abilities were, he would move an addreſs to the crown,

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requeſting that thoſe things might be done which were the objects of the bill, provided he found that ſuch a meaſure ſhould prove agreeable to the Houſe.

General *Conway* roſe, and ſaid the ground of argument had changed ſo much ſince the bill was laſt under conſideration of the committee, that he ſcarcely knew in what manner to treat the ſubject. It was, as the honourable gentleman who ſpoke laſt had ſaid, highly neceſſary that ſomething ſhould be done in compliance with the petitions of the people; the people had particularly recommended œconomy, and it was undoubtedly highly neceſſary; we were now confeſſedly carrying on a war of œconomy with our foes, a war of finance, which muſt unavoidably terminate in the ruin of them or us. The adviſers of his Majeſty, ought, therefore, to adopt every meaſure that tended towards œconomy, and they could not do better than look to France, and ſee what had been the conduct of that court. From the moment Lewis XVI. came to the throne, reformation and œconomy had been the great objects of their attention. The General here pulled ſome tranſlations of French edicts from his pocket, and read an extract from the very firſt publiſhed by the preſent French King, immediately on his acceſſion to the throne in 1774. The extract was couched in very affectionate terms of addreſs to the ſubjects of France, informing them that the preceding reign had abounded in liberalities and profuſeneſſes, to an exceſs extremely detrimental to the intereſt of the kingdom, and that the King was determined to reform them as much as poſſible, and to begin his reign with abridging his own expences, the better to get the finances of his kingdom into good order. The conſequences of ſteadily adhering to this reſolution, the General deſcribed as exceedingly beneficial to France; the end, he ſaid, was ſo fully anſwered, that ſhe had yet impoſed no taxes on the ſubject, and had this year, for the firſt time, made a loan, and that a very ſmall one, whereas we had added ſixty million to our national debt already. He eſtimated the ſavings made by the King of France in his houſhold only, at near a million annually, and calculated that it would pay the intereſt, twenty-five millions.

Mr. *Rous*, in general terms, commended the clauſe, pointed out the ſaving it would occaſion, ſaid it came directly under the prayer of the petitions, reminding the committee that the Houſe had pledged themſelves by their reſolutions of the 6th of April, to do ſomething effectual to diminiſh the influence

of the crown, and adviſed the agreeing to the preſent clauſe as one ſtep towards diſcharging that promiſe.

Mr. *Powys* expreſſed his aſtoniſhment that the Miniſter had not riſen and given the Houſe aſſurance, that if the addreſs which had been mentioned, was propoſed, it ſhould not be objected to and defeated by the noble Lord in the blue ribbon and his friends.

Mr. *Adair* ſupported the cauſe very ſtrenuouſly, and urged the abſolute neceſſity of complying with the prayers of the petitions, in regard to œconomy. In order to prove that the committee were warranted to interfere, he moved to have the reſolution propoſed by Mr. Pitt on the 6th of April, and agreed to by the committee, and afterwards confirmed by the Houſe, read.

It was read accordingly at the table.

Lord *North* then roſe, and after apologizing for ſitting ſilent ſo long, ſaid, that undoubtedly an addreſs to the throne was both a parliamentary and conſtitutional meaſure; that every thing which came from that Houſe would always be regarded with the utmoſt attention and reſpect, by thoſe about the perſon of his Majeſty; that he owed a reſolution of that Houſe the greateſt deference; he owed it alſo his obedience, not indeed as much as he owed to an act of Parliament, but as much as a reſolution of one Houſe of Parliament was entitled to. An addreſs from that Houſe, was the voice of the people of England, which was at all times entitled to the utmoſt deference. The people of England, when they ſpoke through their repreſentatives, adopted that mode of ſpeaking to the throne, by which alone the people of England could be heard or could ſpeak. Gentlemen had ſaid a great deal about œconomy, and the King of Pruſſia had been mentioned. The ſovereign, whom he had the honour to ſerve, in his deſires to have œconomy ſtrictly attended to at all times, and to comply with the wiſhes of his people, would give way to no ſovereign on the face of the globe. His Majeſty was always eager to pleaſe the people, and to do every thing in his power that could poſſibly contribute to their happineſs and their welfare.

His Lordſhip was called to order by General *Conway*, who roſe in great heat, and charged the noble Lord with having perverted his words, and applied what he had ſaid relative to the adviſers of the crown, to the perſon of the Sovereign, a matter exceedingly improper and directly contrary to order.

This created a violent warmth in the committee.

Lord

Lord *North* roſe, and ſaid, the hon. gentleman had no right to ſtop him in ſo much heat; that he was a ſervant of the crown, as well as the hon. gentleman, and as faithful a ſervant. He contended, he had not been diſorderly; he had a right to ſay, the ſovereign he ſerved, in regard to a deſire to have œconomy ſtrictly adhered to, would give way to no ſovereign on the face of the globe.

His lordſhip was again called to order by Mr. *Dempſter*, who aſſerted that the noble Lord had laid down a poſition which could not be debated, and therefore he had ſpoken contrary to order.

Lord *North* maintained, that he had only paid a juſt compliment to his ſovereign; that he had not uſed the name of the King to influence the debate, as a ſcreen for a miniſter, as a refuge, or in any of thoſe points of view which the order of the Houſe was directed at; and that he had a right to pay his Majeſty the compliment which his character merited.

Mr. *Dunning* interrupted the noble Lord, to tell him that what he had ſaid was impertinent to the ſubject in debate. That perhaps the noble Lord would plead that in excuſe, but its being impertinent was no excuſe; the noble Lord ought to know that the Houſe of Commons was not a place for compliments to the ſovereign; that no one gentleman preſent was to learn the amiable virtues of their prince, it was therefore unneceſſary and improper to blazon them within thoſe walls, and could only be done with a view to influence debate. Another thing the noble Lord had ſaid, he could not ſuffer to paſs unnoticed, and that was his declaration, that the people of England could only be heard through their repreſentatives. He denied this doctrine; every man, the meaneſt ſubject, had a right to petition his ſovereign.

Lord *North* ſaid moſt certainly every man, a ſubject of that kingdom, had the right deſcribed by the learned gentleman, and God forbid it ſhould ever be queſtioned or denied. But then a petition ſo delivered, was the petition of the individual or individuals who ſigned it; he had been ſpeaking of the people of England collectively, who could only be heard by their repreſentatives. His lordſhip having ſaid this, went into a general reply to all that had been thrown out in the courſe of the debate; and firſt, he took notice of what General Conway had ſaid relative to the finances of France, and the adviſers of the crown. It was impoſſible, he declared, to know the ſtate of the former, from the French edicts. They were generally admirable productions of very able men, drawn up in the moſt ſoothing terms, and ſtudiouſly deſigned to have a

pleaſing

pleaſing effect on the ſubjects. If the hon. gentleman was to look back on the edicts of the laſt reign, which was undoubtedly, as the firſt edict of Louis XVI. declared it to have been, a reign of great diſſipation and great liberality, the honourable gentleman would find all the edicts of that day drawn up in the ſame perſuaſive and ſoothing ſtile of addreſs to the paſſions of the people. The hon. gentleman had ſaid a great deal about the French not having impoſed any taxes; the hon. gentleman muſt recollect, that where great abuſes had prevailed, great ſavings could be made; the laſt reign having been a very diſſipated one, there was the greater room for reform on the acceſſion of Louis XVI. As to that prince's houſehold, the *maiſon civile du roi* differed very eſſentially from our King's civil liſt; the ſum was aſtoniſhingly larger, neither did any part of it go to public expences, whereas a very great proportion of the civil liſt was applied to the payment of our ambaſſadors, and otherwiſe to the public uſe. The financier of France was undoubtedly a man of great talents, and he believed deſerved the greateſt encomiums, but it was not poſſible to judge what ſtate the finances of France were in, becauſe, according to the form of the French government, the miniſter could anticipate and go on at a great expence, without the people's knowing it; whereas, in this country, whenever a great meaſure is adopted, the miniſter is expected to propoſe a tax immediately to anſwer the expence a miniſter here would not be ſuffered to anticipate.

His Lordſhip then obſerved, that it had frequently been urged that Queen Anne gave 100,000l. a year during the war in her reign, out of her civil liſt; the fact was ſo, his Lordſhip ſaid, but gentlemen forgot that this boon was only given for five years, and that the ſixth year the miniſter came to Parliament, and upon ſtating the debts of the civil liſt, obtained a grant of 600,000l. He had this example before him, and therefore he had been backward in propoſing a ſimilar meaſure, becauſe he could by no means approve of recommending to his Majeſty to give that as a boon which was afterwards to be demanded back again as a debt. When he had laſt applied to Parliament to pay the debts of the civil liſt, it had been aſked if he would anſwer for it, that he would not again apply for a ſimilar purpoſe, and would engage, that when the Prince of Wales's houſhold was eſtabliſhed, the expence would be paid out of the civil liſt, as it would then ſtand at 900,000l. a year. He ſaid he had not, at that time, *engaged*, becauſe he could not ſpeak with certainty, and he *hoped he ſhould always be cautious how he made engagements.*

He

He could now, however, tell the committee, that the Prince of Wales's houſhold ſhould be paid without any additional claim on the public. The civil liſt was apparently in arrear, but not in reality; becauſe it had been in advance for great public purpoſes, and that money would come back again. His lordſhip declared that the war had occaſioned great expences, which immediately affected the civil liſt. He ſtated that the American refugees were paid a large ſum annually out of it. That on an application from the iſland of Barbadoes ſome time ſince, complaining of their being in the moſt preſſing diſtreſs for want of proviſions, his Majeſty had ordered thirty thouſand pounds to be advanced to buy proviſions, and had cauſed them to be ſent to the iſland. His Majeſty had alſo ordered 16,000l. in like manner to be advanced in conſequence of a ſimilar application lately from the iſland of Antigua.

After going through a variety of a particulars, all tending to prove, that the civil liſt arrears were occaſioned by the great expence of ſecret ſervice money, and other neceſſary public purpoſes, his Lordſhip adverted to the clauſe, and repeated his diſlike to tear the civil eſtabliſhment to pieces by Act of Parliament; declaring at the ſame time that the bill had no object which might not to the full as well be effected by addreſs to the Throne.

Sir *Horace Mann* ſaid, he ſaw if he moved for an addreſs, he ſhould not be ſupported by the noble Lord; he would therefore decline any ſuch meaſure.

Mr. *Townſhend* made an excellent ſpeech in reply to Lord North.

Lord *George Gordon* alſo cut about him, and concluded with ſaying, he'd have nothing to do with ſuch an old cloaths buſineſs, but would vote againſt the clauſe.

The committee at length divided,

Ayes 162 Noes 210

The committee then proceeded upon the next clauſe, *viz.* that for aboliſhing the Board of Works.

Mr. *Whitſhed Keene* was on his legs three quarters of an hour, giving a full account of the uſe of the board of works, and a detail of works done by it within theſe few years, to the amount of 800,81,000l. which he ſaid could not otherwiſe have been done for the public ſo cheaply.*

Mr. *Burke*

* Among many curious items in Mr. Whitſhed Keene's ſtatement of the expences incurred in the board of works, in the courſe of the *laſt nineteen years*, ending Michaelmas 1779, were the following:

Spent

Mr. *Burke* made a moſt witty and laughable reply, comparing the board of works to the Fox alehouſe, a little, contemptible, ill-convenient and ill-conditioned tenement, which any perſon would ride by without noticing, but which, upon paper, and with the help of oratory, would fill many ſheets, and cut as ſplendid a figure in deſcription as the nobleſt palace.

At eleven the committee divided,

Ayes 118. Noes 203.

Lord *George Gordon* then moved that the committee ſhould adjourn, and the chairman report a progreſs, and aſk leave to ſit again.

Adjourned to May 1ſt.

May 1.

Sir *Herbert Mackworth* preſented a petition from a Mr Green, ſetting forth that he had deviſed a method for manning the royal navy without preſſing, and praying he might be heard thereon. The Baronet, after a ſhort preface, moved that the ſaid petition be referred to a Committee.

Lord

Spent in erections and improvements in the houſehold gardens.

Seventy-four thouſand pounds in buildings in and about the Queen's palace,——What was done? Building a few offices, a library next Pimlico, ſome alterations in the body of the houſe, and the railing put up before it.—A better houſe might be erected for half the money, from the very foundation.

Eleven thouſand pounds laid out in the Queen's garden.——What was done? Building a wall next to the green park, and round to the turnpike, laying down the whole in a graſs-plat, and planting a few trees and ſhrubs, which is at the rate of about 1500l. per acre, or upwards of 3000l. for what was taken in from the green park.

Almoſt fourteen thouſand pounds, for beautifying St. James's park.—What was done? Filling up Roſamond's Pond, and the dykes about mud or duck iſland; putting up the railing, and planting a few trees; the whole of which might be executed for little more than the value of the timber cut down, in ſome countries. The park contains about thirty acres, the improvements about 500l. an acre, or ten times the value of the fee ſimple.

The Queen's houſe at Richmond, thirty-two thouſand pounds.——What was done? The houſe is not half finiſhed; and, when finiſhed, would not coſt ſome gentlemen in ſome countries ſix thouſand pounds.

Six thouſand pounds at Richmond.—For what? For pulling down an old Houſe.——Four thouſand for doing ſomething inviſible at Carleton-houſe; as much more at Kew for the ſame purpoſes; and a round ſum for erections made on the other ſide of the houſe.

One hundred and thirteen thouſand pounds, or ſix thouſand pounds a year, for taking care of the gardens; and twenty-ſeven thouſand pounds

Lord *Beauchamp* thought there was an impropriety in the motion, as it went to refer a petition to the conſideration of a committee, before the contents of the petition were made known to the Houſe.

Lord *Howe* ſaid no one could feel a greater concern than he did at the practice of forcing men into the ſervice; he was, however, the laſt perſon to prevent any method from coming under conſideration, for the better manning of the navy; but till the petition in queſtion had been ſubmitted to the Admiralty, he could not give his conſent for referring it to a committee of that Houſe, at leaſt at that time, when none of the Lords of the Admiralty were preſent.

Sir *Herbert Mackworth* ſaid, he had nothing more in view, than the immediate good of the public, and was willing to meet the idea of the Houſe. He, therefore, would content himſelf for the preſent, by moving, that the petition

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pounds for the private roads; or at the rate of ſix thouſand for the gardens, and thirteen hundred pounds per annum for the roads.——What are the whole of the gardens? 378 acres, or about ſeven pounds per acre for rolling the gardens.—What are the roads? Four miles of the worſt road within the vicinity of the metropolis, on which, there are three turnpike-gates. Now, ſo far as perſons are privileged, or permitted to paſs free on thoſe roads, a Yorkſhireman would be apt to imagine that he could keep a road in repair upon the ſame terms, for 1300l. per annum, from London to York.

We ſhall only ſelect two other inſtances: Twenty thouſand pounds for lighting and paving; whereas, it is notorious, that the King's palaces are the worſt lighted, and the courts the worſt paved in his Majeſty's dominions: from Downing-ſtreet to the Admiralty, there are not above three ſtreet-lamps; and after twelve at night theſe ceaſe to burn; by which means the bedarkened traveller runs a chance of having his pocket emptied of his caſh, and his ſkull of its brains, if he poſſeſſes either; and that by ſome friendly red-coat, within perhaps a few yards of the next centinel. Nothing however is loſt, it all goes to the common ſtock; and the girls, the centinel, and the aſſailant, generally divide the plunder. Look into the Park, and ſee how Lord North's garden-wall is illuminated; not a ſingle lamp from Fludyer-ſtreet to New-ſtreet, Spring-gardens.

But at once to out-do probability, without building new houſes, without erecting even a ſtable, without planting or ſowing graſs-ſeeds, without paving, or lighting, or rolling, or cutting down; in ſhort, without doing any thing but uſing a little mortar, a few ſlates, ſome tiles, and a few deal boards, the next article is the ſum of five hundred and eighteen thouſand pounds, or twenty-ſeven thouſand pounds per annum, for nineteen years, for keeping the Royal Palaces in repair!

ſhould lie on the table; and the petition was diſpoſed of accordingly.

Mr. *Temple Luttrell* ſtated to the Houſe, that in conſequence of the wages due to the ſeamen on board the Invincible, having been delayed, a mutiny had taken place, and four unhappy men ſentenced to die for the part they had taken in it. The hon. gentleman wiſhed to call the attention of the Houſe to their caſe, which he thought a very hard and cruel one, as they had a very juſt right to complain of the ſtoppage that had been made of their pay; and obſerved, that it was oppreſſion in the higheſt degree, firſt to preſs men into the ſervice, then to irritate them, by keeping from them their wages, and afterwards to adjudge them guilty of death for a mutiny. He thought the caſe of thoſe men well worth the conſideration of the Houſe, as it would be little leſs than murder, to put them to death for what they had done. The hon. gentleman then moved,

"That there be laid before this Houſe an account of all monies due on wages to ſeamen and marines ſerving on board his Majeſty's ſhip the Thunderer, at the time the laſt payment was made to all or any of the crew of the ſaid ſhip, together with the dates and amount of the ſeveral ſums then iſſued to ſeamen and marines reſpectively."

"That there be laid before this Houſe an account of all monies due on wages to ſeamen and marines ſerving on board his Majeſty's ſhip the Invincible, at the time the mutiny or diſturbance happened on board the ſaid ſhip." The ſame were, upon the queſtion, ordered accordingly.

Lord *Mulgrave* ſaid it was not uſual to lay accounts before the Houſe, until ſome reaſon was given for it, though he had no objection to the preſent motion.

Admiral *Keppel* ſaid he was unwilling to lay any blame upon any particular perſon, but he was very ſure there muſt have been a fault ſome-where, or the mutiny ſpoken of would not have happened.

Lord *Mulgrave* took up the hon. gentleman, and ſaid, that mutinies might be expected to be more frequent, when ſpoken of in ſuch a manner.

Admiral *Keppel* ſaid, he loved diſcipline, as well as the noble Lord, but always wiſhed to ſhew lenity when an opportunity offered. There was one inſtance of it in particular, which he ſhould always recollect with pride. When he laſt commanded, Sir Robert Harland came to him to inform him of a mutiny; and what did he do? He did not order any ſeverity to be uſed; he knew that was the laſt thing to be reſorted

ſorted to. But he told Sir Robert Harland to go back to the men, and tell them that he would not ſuffer him, or any one elſe to do them an injury, and deſired they would make him acquainted with the nature of their complaint. The method he took had the deſired effect; the mutiny ſubſided, and the men returned to their duty. His lenity had procured this; whereas, had he proceeded to extremities, a great deal of blood muſt have been ſhed.

Lord *Howe* was of the ſame opinion as to the caſe of the four men condemned to die; and deſired the hon. gentleman, when next he told the ſtory, that he would uſe the word diſcipline, inſtead of lenity.

Lord *Mulgrave* informed the Houſe, that he was given to underſtand, that the court martial on the four men, had not proceeded againſt them with the utmoſt rigour of the law, but had only ſentenced them to corporal puniſhment, part of which had been inflicted upon them. The matter was thereupon diſmiſſed.

Mr. *Burke* then called the attention of the Houſe to the caſe of the two men who belonged to the Eagle privateer, and were the laſt Admiralty ſeſſion at the Old Bailey capitally convicted for mutiny. Mr. Burke gave a detail of the whole tranſaction, informing the Houſe, that the ſaid privateer was, ſoon after it left Briſtol, run away with by the captain, who after plundering ſeveral ſhips, wanted to ſet his men aſhore at Falmouth; but they knowing they ſhould be preſſed in that caſe, made reſiſtance, in conſequence of which a mutiny aroſe, and one of the ſhip's crew was killed. Mr. Burke was of opinion that it would be a very bad example to the ſervice to put to death thoſe who had been guilty of a mutiny on board a private ſhip, under ſuch circumſtances as he had ſtated; conſidering the matter in this light, he thought it the duty of the Houſe to interfere, as it was their province to take care that juſtice was dealt out with mercy; and unleſs ſome one in authority would promiſe that the execution of the men ſhould be reſpited, he would certainly move for an addreſs to his Majeſty for that purpoſe.

Lord *North* ſaid, it would, perhaps, be taking too much upon him, to promiſe that the men ſhould be reſpited; but he aſſured the Houſe, that he would take care to notice it properly, and as far as it laid in his power, it ſhould be done.

Mr. *Gilbert* moved, that it be referred to the committee of ways and means, to diſcontinue the allowance on the waſte of ſalt carried coaſt wiſe

Sir *George Yonge* objected to it, as the taking off an indulgence, was, in fact, impoſing a new tax.

Sir *William Meredith* oppoſed it, and ſaid that it would throw the trade more into the inland parts, and ruin the coaſting trade.

Mr. *Gilbert* replied, that it would make a ſaving to the public of 15,000l. a year, and ſerve to replace the tax on coals, which Lord North had ſignified he ſhould decline laying. The motion, however, was withdrawn.

Sir *Horace Mann* preſented a petition from his Majeſty's proteſtant ſubjects of the town of Maidſtone, in the county of Kent, praying for a repeal of the act paſſed the laſt ſeſſion of Parliament, in favour of the Roman catholicks, and the petition was ordered to lie on the table.

Lord *George Gordon* ſeverely animadverted on the conduct of oppoſition, in having aſſiſted laſt year in bringing in the bill in favour of the Roman catholicks, to which, however, he believed many of them had been innocently drawn by the noble Lord in the blue ribbon, who, in his comparing thoſe concerned in the league of Cambray to the oppoſition, ſeemed to indicate that he ſuſpected ſome of them to be friends of popery, for he mentioned the Pope as being at the head of that league. The noble Lord proceeded in this ſtrain, and threw out that it was the common topic of diſcourſe in France, that this country would ſhortly become a province dependant on that power, and that the Count d'Artois was already pitched upon to govern it.

Mr. *Hartley* roſe for the purpoſe of ſtating to the Houſe, the nature of the propoſition he intended to move, reſpecting America. It would, he ſaid, conſiſt of three motions. The firſt would be declaratory of the principle, and would go to declare againſt any farther proſecution of the war in America, as it prevented the uſe of his Majeſty's arms againſt the Houſe of Bourbon. The ſecond motion he ſhould make, would be for addreſſing his Majeſty for that purpoſe; and his third motion, for enabling his Majeſty to open a negociation for the purpoſe of effecting a peace with America.

General *Conway* gave notice that he ſhould, on this day, move for leave to bring in a bill for a reconciliation with America.

Lord *George Gordon* ſaid, he was very ſure that Mr. Hartley's motions would be rejected, becauſe in the addreſs to his Majeſty, he had deſired that the preſent miniſtry might be changed. He obſerved, that a noble Lord [Lord Nugent] *wiſhed for* a peace with America, though he did not wiſh to

ſee

ſee the preſent miniſtry go out of office, which muſt be the caſe, ſhould the war with America be terminated.

The order of the day being called for, it was read by the clerk, and purported, that the Houſe reſolve itſelf into a committee on the bill for a commiſſion of accounts.

Previous to any motion for the Speaker's leaving the chair, Lord *North* ſaid, he wiſhed firſt to ſay a word or two relative to the ſettling the order of their proceedings; his intention was to propoſe, as he had given notice on his firſt moving for leave to bring in the bill, that the commiſſioners ſhould not be members of either Houſe of Parliament; this propoſition, he declared, was not unprecedented, there had been various commiſſions of accounts moved for on former occaſions, and in former reigns. In the time of Charles the Second, in the time of William the third, and in the time of Queen Anne. Some of theſe had been for commiſſioners in which members of Parliament were the commiſſioners, and ſome in which they were not: in order to prove that one of the latter ſort had been countenanced by the Houſe, he begged the clerk to refer to the journals of the year 1667, the 13th of Charles the ſecond, and to read the minutes which referred to the commiſſion bill then in agitation.

The clerk made the references required, which amounted to three in number, and it appeared from them, that Sir Charles Herbert was chairman of the committee above ſtairs appointed to prepare the commiſſion bill, that he made the proper report to the Houſe, that twenty names were given in and ballotted for, and thus reduced to nine; that they then were ſeverally nominated and elected, and among them the Lord Brereton, Sir George Saville, Mr. Pierrepoint, Sir William Turner, who had been Lord Mayor of London, and five others.

Colonel *Barré* ſaid he did not place much confidence in the accuracy of the journals of that period, for though it was no more than 120 years ago, it was a notorious fact that they were not kept in ſuch order, nor with the regularity in which they now were, and ought, at all times, to have been kept. He begged to know whether the noble Lord in the blue ribbon had any proof that the gentlemen named in the commiſſion of 1667, were not members of Parliament at the time, becauſe he had reaſon to think they were, as he found Lord Brereton returned knight of the ſhire of Cheſhire ſoon afterwards, and ſome of the other names were alſo to be found among the liſt of members at the ſame period.

Mr. *Powys* roſe to enter his caveat againſt its being underſtood, that the Houſe, by going into a committee, agreed to the

the propoſition, that the commiſſioners ſhould be other than members of Parliament. He for one did not by any means accede to it.

The Speaker then left the chair, and Mr. *Ord* took his ſeat at the table.

After reading the preamble,

Lord *North* roſe, and began with aſſuring the Houſe, that he had no intention in moving that the commiſſioners ſhould not be members of Parliament, either to take away from that Houſe any one of its privileges, to abridge its powers, to delegate them into improper hands, or to inſinuate either directly or indirectly, that there were not within thoſe walls men of as much integrity and ability, as much honour in themſelves and as much zeal for the public welfare, as any men in the kingdom. He was convinced there were; and the only reaſon why he had propoſed, that the commiſſioners ſhould not be members, really was, becauſe the common parliamentary buſineſs was now ſo great, debates ran ſo high, and the times were ſo contentious, that almoſt every gentleman had taken either one ſide or the other, and therefore if they were choſen commiſſioners, their conduct in that ſituation would be liable to very great miſconſtruction; and he did not believe their being appointed commiſſioners would give the people ſo much ſatisfaction, as if gentlemen without doors, of known abilities, and reſpectable characters, were named for that office. He added to this, that on looking back to former commiſſions, thoſe which had not been compoſed of members had done the beſt ſervice for the publick, the others in general turning out mere party matters, and ending in nothing. Another reaſon, likewiſe, why he preferred gentlemen without doors to gentlemen within, was, that by adopting the former, all that ground of offence to the other Houſe of Parliament, which had been given on former occaſions, would be removed, and the poſſibility of a difference with the Lords avoided, a matter which was at all times to be wiſhed, but particularly at preſent. His Lordſhip ſtated what the occaſion of the differences with the other Houſe was upon former commiſſion bills; declaring that the Lords had then objected to the commiſſioners being members of the Houſe of Commons on theſe two grounds, viz. that the Houſe of Commons by naming their own members, took from them the right of nomination and election, which they alledged they poſſeſſed as well as the Commons, and that the commiſſioners being members of Parliament, were not ſubject to that controul, which they ought to have a power of exerciſing over perſons delegated to enquire into and report the ſtate of the

public accounts. Theſe objections, his Lordſhip ſaid, he thought much ſtronger than many people had imagined, and therefore it became additionally proper to avoid occaſioning a difference with the Lords now. He then went on to ſtate, that, as in former commiſſions, he ſhould limit the number of commiſſioners to nine perſons, and the time of the commiſſion's remaining in force to one twelvemonth, by the expiration of which time he thought the buſineſs of the commiſſion might be done; but if it ſhould not, the Houſe would have it in their power to continue the act in force for a longer time; his Lordſhip ſtrengthened this obſervation with remarking, that every one of the former commiſſions were paſſed for a year only.

Having mentioned theſe preliminaries, his Lordſhip proceeded to the nomination of the commiſſioners; they muſt, he ſaid, from the nature of the accounts which would come before them be men of different lines in life, and of different purſuits. As a large part of the accounts would refer to the army, he had turned his eye towards able officers, who were competent to judge of the propriety of the expences incurred in the management of the military in America; he had next looked to the law, and to thoſe of that profeſſion who were moſt in the habits of ſettling accounts, and adjuſting differences between parties; for theſe he had gone to the Chancery, the great court of account of the kingdom, and there he had fixed on thoſe who were immediately concerned in accounts, viz. the maſters. The third deſcription of perſons he had thought of, were merchants, and ſuch men as were likely to be the beſt judges of buying and ſelling either by contract or otherwiſe. The name he ſhould firſt mention to the committee, would be that of a gentleman, to whom poſſibly ſome objection might be made, becauſe he was free to own he was a placeman, and what was more, he was a placeman of his making, but in no one act of his public life did he glory more, becauſe he was convinced, from his great ability and knowledge of buſineſs, that gentleman had done his country moſt eſſential ſervice. He was a man not by any means unknown, a man of as upright a heart, as clear a head, and as honeſt a mind, as any one man living, let his ſtation in life be what it would. The gentleman he alluded to was Mr. Thomas Bowlby, comptroller of the army accounts. He was one whoſe talents, as well as the many recommendations he had received from various quarters, pointed him out as a very fit perſon to be a commiſſioner. At the head of thoſe, however, he would name Sir Guy Carleton, an

officer of ſuch diſtinguiſhed merit, and ſuch exalted character, that he preſumed no gentleman would make the ſmalleſt objection. Sir Guy Carleton therefore, he meant for one commiſſioner, Mr. Bowlby for a ſecond, and he ſhould next name——

Mr. *Byng* roſe ſuddenly and ſaid, as the inſult about to be put upon the Houſe was of the moſt intolerable kind, no leſs than a daring attempt to ſink them in the moſt debaſing manner, and annihilate their beſt privileges, he begged the noble Lord would nominate but one perſon at a time, that the committee might paſs their judgement on that one, before they proceeded to take a ſecond into their conſideration.

Mr. *Brett* roſe, as the Houſe was rather proceeding to diſorder, to beg that gentlemen would be ſerious, and conſider the very great importance of the ſubject before them.

Mr. *Burke* ironically congratulated the noble Lord on his glorious beginning, and begged that he might be ſuffered to proceed without interruption through his nomination, declaring he was extremely deſirous of ſeeing the whole *dramatis perſonæ*, ſince it was impoſſible to judge of any drama by a ſight of only one or two of its perſonages, but that the whole muſt paſs in review, not only the King and Princes, but the firſt, ſecond, and third mob, and all the retinue.

General *Conway* roſe with more than common warmth, and declared he felt himſelf ſo exceedingly hurt at what had paſſed, that he hoped the noble Lord would not be ſuffered to proceed a ſtep further till the Houſe had firſt determined whether an inſtruction ſhould be given to the committee, directing them either to nominate members for the commiſſioners, or ſtrangers. The noble Lord had mentioned Sir Guy Carleton at the head of his liſt. A man whom he regarded as the moſt virtuous, the moſt honourable, and one of the moſt reſpectable characters in his profeſſion. He did not know upon the face of the earth a perſon ſo dear to him as Sir Guy Carleton, why then muſt he be reduced to the cruel neceſſity of putting a negative upon a character ſo truly eſtimable and amiable, merely becauſe he did not approve of the meaſure itſelf; and why muſt the name and reputation of an officer of ſuch diſtinguiſhed merit be bandied about in that committee, when after all, it might happen, that the Houſe would not, upon the report, approve the nomination? He thought it therefore the beſt and the propereſt way to reſume the Houſe immediately, and to diſcuſs the point and ſettle deciſively whether the commiſſioners ſhould be members of Parliament or not; for this reaſon, he deſired to move, "that the chairman

man leave the chair, report a progreſs, and aſk leave to ſit again."

Mr. *Rigby* expreſſed his aſtoniſhment at this motion; he ſaid he had underſtood, that gentlemen had agreed to go into the committee, and go through the nomination and other parts of the bill. The noble Lord in the blue ribbon had a little while ago, made an opening for diſcuſſing the ſubject, which the right honourable gentleman who ſpoke laſt, had expreſſed ſuch anxiety to debate and decide upon, but not a word about it was then thrown out. Now that gentlemen were in a committee, without any one good reaſon, a ſudden diſpoſition had ſhewed itſelf to ſettle that, which, if diſputed, ſurely ſhould have been ſettled before; and what had cauſed this diſpoſition? No one thing that he could even gueſs at, excepting the noble Lord's having nominated as a commiſſioner Sir Guy Carleton, who, according to the honourable gentleman who made the motion, was the fitteſt man in the world for the ſituation he had been nominated for, and to whom he did not conceive there would come from any gentleman the ſmalleſt objection. Mr. Rigby aſſured the committee that he did not know who were to be nominated commiſſioners, till after he had entered thoſe doors that afternoon. That he thought ſuch conduct towards the noble Lord ſo unfair, and ſo unreaſonable, that if the right honourable gentleman perſiſted in his motion, he would take the ſenſe of the Houſe upon it, for he was determined the chairman ſhould not quit the chair without a diviſion.

Mr. *T. Townſhend* roſe to ſecond the motion, and prefaced his ſo doing with a very paſſionate ſpeech, in which he ſeverely attacked the noble Lord, accuſing him of having offered the moſt groſs inſult to Parliament that ever a miniſter dared attempt. He aſked why Sir Guy Carleton had been ſuffered to remain ſo long idle, if he merited the praiſes the noble Lord had beſtowed on him. Why not give him a command inſtead of putting a pen into his hand? He reprobated the idea of employing men in direct oppoſition to their profeſſions, and ſaid, making an officer a commiſſioner of accounts was of a piece with making a commis a colonel of a regiment.

Mr. Townſhend alſo objected to Sir Guy Carleton as having an account to make up himſelf, and therefore he thought him diſqualified from ſitting in judgment on the accounts of others.

Col. *Barré* coincided in this idea, and adviſed putting a truncheon into Gen. Carleton's hand, but by no means diſ-

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grace a brave officer by turning him into a clerk. The colonel recommended permitting the noble Lord to proceed in ſtating his commiſſioners, and then when he came to put the queſtion upon the firſt name, to take the ſenſe of the Houſe upon the general idea, whether Sir Guy Carleton, not being a member, ſhould be a commiſſioner, aye or no. In order to do this, he adviſed his right honourable friend to withdraw his motion for the preſent.

General *Conway* ſeemed inclined ſo to do, but

Lord *North* roſe, and ſaid, he thought it would be fair to take the ſenſe of the Houſe on the propoſition then, and not to ſuffer him to proceed mentioning the reſt of the names till the matter was decided. If the ſenſe of the Houſe was known, he ſhould act accordingly; in caſe the Houſe ſhould determine that the commiſſioners ſhould be members of Parliament, he would not mention the name of any one gentleman who was not a member, and ſo *vice verſa*; he could not therefore but think the right honourable gentleman's motion perfectly candid and reaſonable; for which reaſon he muſt hope that the committee would agree in taking it then, and giving their votes upon the matter, ſo as to decide it one way or the other.

Col. *Barré* reprobated this, as an unprecedented want of candour; he declared whenever a gentleman deſired to withdraw his motion, it was always uſual to allow him to do it; he again preſſed the propriety of hearing the reſt of the names of the commiſſioners, and afterwards deciding upon the main queſtion.

Mr. *Cornwall* was for conſidering the preſent queſtion as deciſive, and if it were carried for the chairman to leave the chair, to take it as a deciſion that the commiſſioners ſhould be members of Parliament; but if it were carried that he ſhould not leave the chair, to take it the other way, and proceed in the nomination. Mr. Cornwall mentioned the committee for the taking an account of the Iriſh eſtates that were forfeited, near the cloſe of the laſt century, as a proof that committees, which were compoſed of ſtrangers, had been allowed by that Houſe.

Mr. *Dunning* inſiſted upon it, that ſo far from the preſent bill's complying with the prayer of the petitions, or anſwering the wiſhes of the people of England, it ran directly counter to both, as well to the latter, as they could be gathered and collected from the petitions, as to the former, ſtated and aſcertained as they were, in thoſe petitions themſelves. The *people of England* moſt clearly, moſt intelligibly, moſt unequivocally

quivocally called upon the Houſe "to correct the groſs abuſes in the expenditure of public money, to reduce all exorbitant emoluments, to reſcind and aboliſh all ſinecure places, and unmerited penſions, and to appropriate the produce to the neceſſities of the ſtate, in ſuch manner, as to the wiſdom of Parliament ſhall ſeem meet." The petitioners looked up to the Houſe as poſſeſſing the means to go to, and to exterminate the root of the evil, opportunity to trace it to the bottom, by proper and neceſſary inveſtigation, and power to eradicate it effectually, totally, and without danger of leaving the ſmalleſt veſtiges of its exiſtence. Did the bill ſhew, in any one ſenſe whatever, that the Houſe poſſeſſed the power which the people of England ſuppoſed it to poſſeſs, or did it amount to a proof, or any thing like a proof, that they were willing, poſſeſſing that power aſcribed to them, ſo to exerciſe it, as to anſwer the expectation of the people without doors? On the contrary, was not the preſent bill a ſolemn and formal renunciation of the powers aſcribed to that Houſe by the petitioners? Was it not apparently and ſubſtantially a reſignation of the rights of the Houſe, if any ſuch rights they poſſeſſed, as the petitioners perhaps improperly, perhaps ignorantly, ſuppoſed they did poſſeſs, and a total abdication of them as far as they could be uſefully exerciſed, in truly, ſeriouſly, and ſolemnly proceeding to afford the relief and redreſs of grievances which the people of England required at the hands of that Houſe? Did the noble Lord, if the purport of his ſpeech was at all to be relied on, afford the leaſt hopes, that even admitting for a moment, though by no means agreeing to the propoſition, that it was either wiſe, warrantable, or conſonant to the conſtitution of Parliament, to delegate on any occaſion thoſe rights which belonged to the Houſe of Commons? Did the noble Lord however, admitting the propoſition in its utmoſt extent, give the leaſt ground for hope, that he wiſhed to delegate the rights of the Houſe of Commons to ſuch hands as were proper to be entruſted with ſo extraordinary a delegation? Without entering into a diſcuſſion, or meaning to queſtion the character, honour, integrity, or ability, of the intended commiſſioners, and agreeing fully and entirely, as he believed every gentleman would moſt readily agree, that the two perſons, who had been named, merited all the encomiums which the noble Lord had been pleaſed to paſs upon them, and ſtill more encomiums than the noble Lord had paſſed, was it not fair to conclude that all the commiſſioners, whom the noble Lord intended to nominate, would be placemen? He meant not to ſay that they would

would all be placemen in the preſent tenſe, but changing the tenſe, they would be placemen; placemen now, or placemen in the higheſt probable expectancy, placemen in future.

Mr. Dunning then, with infinite poignancy of wit, turned all the three deſcriptions of ſtrangers pointed out by Lord North, as fit perſons for commiſſioners, into ridicule. The military commanders he objected to as incompetent from their want of familiarity with accounts and papers, the maſters in chancery for their characteriſtic delay, (appealing to the Houſe whether moſt of the gentlemen preſent could not feelingly witneſs the tedioufneſs of the proceſſes in chancery), and the merchants as expectant contractors.

In the courſe of his ſpeech, he expreſſed his ſurpriſe at hearing Sir Guy Carleton nominated by the noble Lord. That officer had never before been honoured with the nod of Jupiter, nor did he recollect that any of his ſatellites had on any former occaſion ſhot off to illuminate his character.

After a moſt ingenious argument, Mr. Dunning cloſed with expreſſing his wiſh, that the noble Lord might be ſuffered to proceed in the nomination of his intended commiſſioners, that the Houſe might fully know the extent of the noble Lord's attempt to perſuade them to reſign and abdicate their rights and thoſe powers with which they were conſtitutionally inveſted.

The *Lord Advocate* roſe immediately, and contended that the delegation aimed at by the noble Lord was neither unprecedented nor unparliamentary; that the noble Lord had no object whatever but the public good; and that the object he had mentioned could not be ſo well attained as by appointing the commiſſioners from among the perſons without doors. He put the caſe fairly, if the commiſſioners had been appointed either from one ſide of the Houſe or the other, or had been formed from a mixture of both, whether every gentleman muſt not be convinced, that the three compoſitions of commiſſioners would not have been ſeverally objectionable, the two former upon equal grounds, and the third more than either. In order to ſhew this queſtion in its true light, he aſked if gentlemen were not perfectly aware, that in caſe the commiſſioners were choſen from the ſide of the Houſe on which he ſtood, whether it would not be immediately ſaid, "the commiſſion is a trick, a piece of chicane of the miniſter; the commiſſioners are his friends! his dependents! his creatures! What good can the people at large look for from men choſen to in-

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ſpect the accounts of the noble Lord himſelf and thoſe about him, who look upon the noble Lord as their patron, their maker?" Gentlemen on the other ſide of the Houſe, he ſaid, were generally warm, and frequently hot; not that he meant to complain of their warmth or their paſſion; he was glad to ſee either, becauſe he was convinced that men who flew to hard words, and to heat, had no argument to reſort to, and ſubſtituted paſſion for pleading, ſtrong expreſſions for ſound reaſoning, and ill-language for ſober diſcuſſion. Thoſe who were on the ſide of the Houſe on which he ſtood, were accuſtomed to govern their paſſions better, to keep themſelves more cool, and to ſpeak with a greater degree of temper and moderation. But temperate and meek, (for meek even to reprehenſion he ſometimes thought they were, to put up with the groſs attacks and illiberal abuſe of the other ſide of the Houſe) was it not probable that his honourable friends, in caſe the commiſſioners were all named by oppoſition, would ſay, "their report was not the reſult of a fair and candid inveſtigation of the facts which came before them, but an effort of party founded on factious motives, and having no other view but to turn out the miniſtry and poſſeſs themſelves of their places." Thus while the report of the one deſcription of men would be termed factious, the report of the other would be pronounced a mere ſcreen for miniſterial ſpeculation. Still worſe would be the reſult, were the commiſſioners to be a mixed number of members of gentlemen on both ſides; in that caſe, buſineſs would be put a ſtop to entirely; the animoſity of the one ſet would operate upon the irritability of the other, both would in conſequence be betrayed into ill-humour, ſpleen, and petulance; and rage and madneſs would take place of ſober inveſtigation, and wiſe, and deliberate deciſion. In every one of the three points of view, therefore, the end of the commiſſion would be fruſtrated, and the people without doors would be diſſatisfied, and having cauſe to complain of the Houſe, would be induced to think meanly of its functions, its inclinations, and its powers to do them benefit, and to do them ſervice. This was ſurely a feeling which no gentleman, who would pauſe a moment and think coolly of the preſent temper of the times, would wiſh to impreſs on the minds of the people without doors. One of the chief uſes of the intended commiſſion was to afford ſatisfaction to the publick: Great as the other conſiderations were which preſented themſelves to view, they almoſt ſunk before that object, and gave

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it. The expences of the war were undoubtedly large, e burthens impoſed on the ſubject neceſſarily ſevere. rthly conſideration, therefore, would be equal to the able to convince the people at large that their money ıot miſapplied, that it was not ſpent in corrupt purpo- The grand aim of the bill was to effect this ſalutary, deſirable purpoſe. Could gentlemen ſeriouſly think it was likely to be anſwered ſo well as by appointing e of the people themſelves to fill the commiſſion? A al had been ſaid over and over again of parliamentary nce, if that argument had really any foundation, and ſerved to have weight without doors, did it not apply di- ctly in ſupport of the noble Lord's propoſition, of having ır the commiſſioners, perſons who were not members of ıat Houſe? Undoubtedly it did.

Having argued this point for ſome little time, the Lord Advocate adverted to the perſons named, and gave Mr. Bowlby and Sir Guy Carleton a great character. He took notice of the objection that had been taken to the latter, on the ground of his being a public accountant, and ſaid, Sir Guy had but one account to paſs, and while that was in agitation, he need not be preſent at the committee. In proof that a commiſſion of the kind alluded to, was no novelty, and that the Houſe had more than once delegated their power and their rights in great inſtances; he mentioned Mr. Grenville's popular bill, which had been ſo much praiſed on all ſides the Houſe, and by all parties; that bill, which gave to a ſmall number the rights of the Houſe collectively, in that moſt eſſential of all matters to be decided upon, the right of election, and the claim of members to their ſeats!

Colonel *Barré* went through an hiſtorical enumeration of all the commiſſions of account bills that had been brought into Parliament towards the cloſe of the laſt century, and at the beginning of the preſent, ſtating minutely the progreſs and reception of each, which failed, and which came to completion, with the effects of ſuch as were carried into execution. He reſcued the members of that Houſe from ſuſpicions of unfairneſs from party motives, by ſaying, that when men of honour met on buſineſs, no one commiſſioner could be ſuppoſed capable of acting partially or uncandidly, and even if ſuch an illiberal idea was entertained of them, no gentleman of either ſide, choſen a commiſſioner, would dare to do otherwiſe than to act uprightly, becauſe his character would be at ſtake, and he would have to anſwer for

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his conduct to that Houſe and to his country. He ſaid, he had proof that men of all parties deſerved a fair prejudication, becauſe he had ſat upon a committee with gentlemen of the other ſide of the Houſe, and that upon the inveſtigation of a contract, when there was no cauſe for imputing that diſgraceful ſuſpicion, which the learned Lord had thought proper to impute to the members of that Houſe, and the reaſon was obvious—The members elected of that committee were all men of honour, and they had acted conſonantly to that character. With regard to the two gentlemen mentioned, he ſaid he had no other objection, but that the one was clearly a placeman, and avowedly bound by gratitude to look up to the noble Lord as his patron and his maker, the other was himſelf a public accountant. Sir Guy Carleton he had not the honour of living in the habits of intimacy with, but he knew him to be a brave officer. They had ſerved together laſt war, the one as adjutant maſter general, the other as quarter maſter general. What was the office Sir Guy Carleton was now talked of for? Why this—not to wield the truncheon, but to wave the pen; to turn commis, to examine the public accounts! Undoubtedly the talent of writing ably was a great additional qualification in an officer; ſome officers poſſeſſed it in an eminent degree, and ſome did not; the latter perhaps made it up to their country more than equally by their ſuperior perſonal bravery, their ſuperior knowledge of the art of war, and their eminence as men of diſtinguiſhed military character. In France, where military character was better underſtood than in any country, the talent of writing ably was ſo far from being thought peculiarly recommendatory in officers, that generals ſo qualified were ſpoken of with contempt, and in the coarſeſt terms the French language would admit of. Every officer of that deſcription was called *Bougre de la Plume*. He thought he was not diſgracing Sir Guy Carleton, therefore, when he declared that he always underſtood Sir Guy Carleton was more able as an officer than as an accountant.

The Colonel mentioned Mr. Petchell and General Fawcitt, and aſked if the latter was not intended to be nominated as one of the commiſſioners?

Lord *North* gave General Fawcitt a very high character as a proper man for the office, and ſaid he at one time had him in his view; but as he was now abroad on the public ſervice, and would probably be put on the ſtaff when he returned,

returned, he no longer intended nominating that gentleman as a commiſſioner.

Sir *Fletcher Norton*, before he entered into a conſideration of the propoſition that the commiſſioners ſhould not be members of Parliament, ſaid, he could not help thinking it an extraordinary way of complying with the petitions of the people, the two great aims of which were, "œconomy in the public expenditure, and the diminution of the influence of the crown," to frame a commiſſion, creating new placemen at the nomination of the miniſter, and to be paid large ſalaries, with a power to employ as many ſecretaries, clerks, meſſengers, &c. as they ſhould think proper, at the will and pleaſure of the ſaid commiſſioners, ſo appointed by the miniſter. With regard to the right of delegation, he ſaid, he was moſt fully convinced no ſuch right exiſted in that Houſe. They were the repreſentatives of the people, empowered to act for their conſtituents by themſelves, and in their own perſons ſolely. That their powers and privileges were perſonal, and could only be perſonally exerciſed. Their firſt power, and that which gave them all their weight and balance in the conſtitution, was the power of the purſe. That power was two-fold, it conſiſted of the excluſive right of voting the public money, and their right of examination, and controul of the public accounts. Theſe two parts of their power were inſeparable; it therefore behoved every man who wiſhed well to his country, and who deſired to preſerve its conſtitution in its native purity, to watch over both with equal jealouſy; becauſe if the one were parted with, no man could ſay, as the tranſition was extremely eaſy, that the other would not follow likewiſe, though perhaps the exact period of time might not be at hand. That Houſe, therefore, had no right of delegation in any caſe whatever, they were the holders of the rights of the people, for whom they exerciſed them. The other Houſe of Parliament was differently conſtituted; repreſenting the ariſtocracy, they repreſented themſelves, and conſequently could part with that power, which was their own, as they choſe, ſo long as their delegating of it did not affect the commons of England. Hence their right of voting by proxy; but who ever heard of a member of that Houſe voting by proxy? As to what a learned Lord had ſaid relative to Mr. Grenville's bill, he was aſtoniſhed that any man could ſuppoſe for a moment even, that the operation of the bill of Mr. Grenville, was any way applicable to the preſent bill.

Did

Did that delegate the powers and rights of the Houſe? No ſuch thing. No more than when bills were referred to committees above ſtairs. In order to make the caſes analogous, it muſt be proved that Mr. Grenville's bill turned over the rights of election, and the claims of members to their ſeats, to the inveſtigation and deciſion of ſtrangers and foreigners. Every gentleman who heard him knew to the contrary. The preſent propoſition, therefore, he was perſuaded was illegal, and if come into, would amount to a forfeiture of the compact between the repreſentatives and the repreſented, inaſmuch as thoſe who adopted it would clearly betray their truſt, and forfeit the confidence of thoſe who truſted them with the powers of the commons of England.

He obſerved that there was a great deal to do in a very little time; the Houſe had ſolemnly pledged itſelf to redreſs the grievances complained of, and comply with the petitions of the people of England; there remained but a ſhort period of the ſeſſions to come, in which all this was to be done. It was high time, therefore, to get rid of meaſures, which, like the preſent bill, were idle, nugatory, and frivolous, and proceed effectually and truly to keep their word with their conſtituents; if they did not keep their word, he knew not with what face they could go into the country, and meet thoſe who ſent them to that Houſe of Parliament.

The *Secretary at War* anſwered Sir Fletcher by a variety of precedents, that the Houſe had on many occaſions appointed committees of ſtrangers, and as ſuch committees like that under the preſent bill were not to decide, but only to enquire into facts, and report to the Houſe the reſult of the enquiry, that it did not amount to the ſort of delegation which Sir Fletcher had ſaid was a matter ſo ſtudiouſly to be avoided.

Mr. *Fox* made a moſt able and warm reply, enforcing the ſtrongeſt of Sir Fletcher Norton's arguments, and deeming him very high authority. He drew a ſimile between a commiſſioner and the officer in the French courts of juſtice, called *Le Rapporteur*, whoſe duty it was to examine into and ſtate the facts; this officer, he ſaid, was generally ſuppoſed to be a mere no-body, but it was well known that he had the whole cauſe in his hands, and that the fate of it depended on his mode of ſhaping his report. He alſo inſtanced the caſe of Verres the general of Sicily, accuſed at Rome of abuſe of truſt by Cicero, and ſaid, that Verres eſcaped by procuring Lucius Sicilius, his officer, who had ſerved under him, and was his dependent to take up the accuſation againſt him; he then in a moſt animated manner quoted Cicero's

ſpeech to Lucius Sicilius, applying the character of Hortenſius to Lord North.

Mr. *Mansfield* replied to Mr. Fox and Sir Fletcher Norton; and ſaid he preſumed there was a Speaker of that Houſe, in 1667, but he heard nothing of his objecting to a bill directly ſimilar to the preſent. Perhaps that gentleman had not the preſent Speaker's tenderneſs of conſcience; perhaps he was a man, and felt ſomething like firmneſs of mind.

After more debate the Houſe divided,

For Mr. Ord's leaving the chair,	173
Againſt it,	195

Although it was now two o'clock in the morning, Lord *North* preſſed that the committee ſhould proceed to approve, or diſapprove, of the perſons whom he intended to name.

Mr. *Fox*, in a very able ſpeech, remonſtrated againſt the unfairneſs and indecency of ſuch a proceeding. Gentlemen, after ſitting twelve hours in a very crowded and heated Houſe, might well be preſumed to be fatigued and exhauſted. The committee was thinning apace; conſequently great numbers, who ſuppoſed that the Houſe would riſe immediately after the diviſion, had gone away; but he would remind the noble Lord over-againſt him, of what he believed he was no ſtranger to, that proceeding further to-night would not be following up a point already eſtabliſhed, on which the ſenſe of the Houſe had been fully expreſſed.—He would tell the noble Lord what he meant: the negative put upon the right honourable gentleman's motion, under the gallery, decided this, and no more, that it was the opinion of the committee, that it would be proper that the commiſſioners under the preſent bill ſhould not be members of that Houſe. That queſtion having been decided by a majority of 22 gentlemen, what was the queſtion now before the committee? Whether Sir Guy Carleton, and Mr. Bowlby, ſhould be two of the ſaid intended commiſſioners? Here then a new principle was to be eſtabliſhed: not whether thoſe gentlemen were eligible, becauſe they were not members, but becauſe they were placemen. Mr. Bowlby was comptroller of the army accounts; Sir Guy Carleton was a general, commander of a regiment, and, he believed, enjoyed ſome other poſt, or place of profit, under the crown. If one or both of thoſe gentlemen were to be appointed commiſſioners, where then was the noble Lord's great ground of argument

gone?

gone?—That members of Parliament, ſelected from either ſide of the Houſe, would be ſuſpected of partiality; if from his ſide of the Houſe, of party prejudice; if from that of the noble Lord, of being influenced by places or penſions. —He would add two other conſiderations, one in reference to the noble Lord himſelf, the other ariſing from the bill now before the committee. When the noble Lord ſnatched the bill, or meaſure, out of the hands of his honourable friend below him [Colonel Barré] he gave the ſtrongeſt and fulleſt aſſurance to the Houſe, that he was determined that no perſon enjoying any place, poſt, or emolument under the crown, ſhould be appointed a commiſſioner. The noble Lord had for once kept his word. The bill which he produced was framed upon that idea. There is a clauſe in it, which expreſsly provides, that no perſon ſo deſcribed ſhall be a commiſſioner: yet, at the very eve of day-break, after twelve hours warm debate, when one half of the members are gone, and the other half tired out and exhauſted, the noble Lord, in direct contradiction to his own ſpecific aſſurances, when he moved the bill, to the bill itſelf, as it now ſtands, which amounts to a record of thoſe aſſurances, takes an unfair advantage of all thoſe circumſtances, and endeavours, in the moſt ſhameful manner, to precipitate the Houſe upon a falſe conception of the principle now approved, not only to adopt another principle totally unconnected with it, that of nominating placemen, but to nominate placemen in one clauſe of the bill, though they are expreſsly excluded in another clauſe of the bill.

Lord *North* acknowledged, that there was a clauſe in the bill which excluded placemen; but it would remain with the committee to determine whether, if Mr. Bowlby, for inſtance, ſhould be deemed one of the moſt fit and proper perſons, on account of his general character and known abilities, that his being a placeman would prove an incurable objection. The gentleman who objected to Mr. Bowlby acknowledged his merit, to as great an extent, and in as unqualified a manner as any of his moſt warm friends; the queſtion would therefore turn upon this ſingle circumſtance, whether his being comptroller of the army accounts was ſufficient, though qualified in every other reſpect to diſcharge a duty, which it was confeſſed on all hands required the abilities, experience, and knowledge that gentleman was known to poſſeſs.

Mr. *Fox* ſaid, he felt the higheſt indignation at the language made uſe of by the noble Lord. The abilities and integrity of Mr. Bowlby were entirely foreign to the ſubject now under diſcuſſion. The queſtion was not, whether Mr. Bowlby was fit or unfit. No man in that Houſe, or out of it, had a better opinion of that gentleman than he had; but the queſtion was, whether in a bill which expreſsly excludes placemen from being appointed, one of the firſt gentlemen propoſed ſhould be a placeman; a placeman holding his appointment at pleaſure, and a placeman obliged, for that appointment, to the noble Lord in the blue ribbon. He did not know any expreſſions ſtrong enough to convey his ſentiments, reſpecting ſo ſhameful, barefaced, and diſgraceful a conduct. Where are all the arguments, which paſſed in the courſe of a twelve hours debate, and which had been urged by the noble Lord and his friends, with ſo much confidence? Members of that Houſe, ſaid the noble Lord and his ſupporters, enjoying places under the crown, would be ſuſpected of being under an improper influence; gentlemen on the other ſide of the Houſe, of being under party influence; therefore, members of that Houſe were not proper perſons to be nominated. Strong as the influence of the crown was confeſſed to be, he would contend, that even from among the noble Lord's own chief friends and ſupporters, nine perſons might be ſelected, who, upon every fair ground of probability, and rule of public judgment, would be found much leſs objectionable than the gentleman whom the noble Lord had propoſed.

It was well known to be a rule of law, and well ſupported by common experience, that the character of the perſon to whom influence was imputed, made no part of the conſideration whether he was or was not eligible. It was ſufficient to ſay, that his ſituation was ſuch as ſubjected him to temptation. If an objection was taken to a juror, that he was a relation to one of the parties, whether the matter to be enquired into reſpected property or a criminal offence, it was never aſked whether he was a great, and able, or good man; it was only neceſſary to know if he was the father, the uncle, near relation, or known dependent of one of the parties, or whether he himſelf might have an intereſt in the deciſion; the law preſumed the reſt, and with the ſtrongeſt and moſt uncontroverted claims to the pureſt integrity, to the greateſt abilities, and the moſt unbiaſſed and impartial judgment, ſupplied

ſupplied the want of proof by implication, and deemed him corrupt.

Lord *North* ſaid, that he moſt certainly appointed Mr. Bowlby to the place he then enjoyed, and likewiſe that he held it during pleaſure; but he could ſay, that his appointment aroſe merely from that gentleman's merit; and as to the influence preſumed to exiſt, on his holding his preſent place of comptroller *ſe bene placito*, he was ready to remove that objection, by changing the preſent tenor of it into that of *quamdiu ſe bene geſſerit*, which would render him as independent of the crown as any perſon within or without that Houſe.

Mr. *T. Townſhend* ſaid he had not the honour of knowing the gentleman alluded to ſo often in the courſe of the debate, but by all accounts he was a very worthy man. He likewiſe entertained a very high opinion of Sir Guy Carleton, as an able experienced officer, to whom his country lay under many obligations. But beſides the objections ſtated againſt both thoſe gentlemen, one of which was attempted to be ſoftened by the noble Lord, who offered to change a place held at pleaſure into a freehold; a very curious method, he confeſſed, of removing or rooting all prejudices out of a grateful breaſt; but he would add, that there was ſtill another which equally applied to both. Mr. Bowlby was comptroller of the army accounts: he was therefore in a reſponſible ſituation; he held a place, and was anſwerable in common with others for the faithful diſcharge of his duty. He would not ſay that Sir Guy Carleton could be deemed a placeman within the meaning of the clauſe, though he believed he was; but then if he was not, Sir Guy Carleton, as commander in chief in Canada, and governor of the province of Quebec, was accountable to the nation for the expenditure of ſeveral millions of the public money. He would therefore recommend it to the noble Lord ſeriouſly to reflect, and feel the ground he ſtood on; for moſt clearly he would have ſomething more than meer inconſiſtency to anſwer for; more than pledging himſelf to that Houſe, when he moved for leave to bring in his bill, that no placeman ſhould be appointed a commiſſioner; more than contradicting that promiſe without ſhame, by ſuperſeding a clauſe actually framed by himſelf, and inſerted in the bill for excluding placemen, and yet propoſing the names of two gentlemen who were placemen; his Lordſhip would have the reſentments of the people

without doors to contend and ſtruggle with, when it ſhall be known that gentlemen who have accounts themſelves to paſs to a very great amount, are the very perſons choſen to enquire into the expenditure of the public monies, and to propoſe a reform in time to come. This indeed would be too much; he hoped the noble Lord would conceive it to be ſo, and that he would deſiſt from proceeding at ſo late an hour of the night, when ſo many difficulties, and, in his opinion, inſurmountable difficulties, ſtood in the way.

Sir *Harry Houghton* ſaid, if the perſons propoſed were the fitteſt to fill the commiſſion, he thought that they ought to be appointed. He underſtood that there was a clauſe in the bill which excluded placemen. This, however, need not prevent the committee from proceeding; for when it reached that clauſe, it might be either totally ſtruck out, or ſo modified and altered, as to render every part of the bill uniform.

Lord *North* ſaid, that he agreed with the honourable gentleman behind him, that if the committee ſhould agree to inſert the name of Mr. Bowlby, the clauſe which excludes placemen muſt be altered; but he begged the committee to attend ſtrictly to the ground of excluſion; for in his opinion it went only to that of Mr. Bowlby's being a placeman. The honourable gentleman who ſpoke lately contended, that Sir Guy Carleton was a placeman within the meaning of the clauſe: upon both theſe gentlemen two diſtinct queſtions would therefore ariſe; upon Mr. Bowlby's appointment, whether all placemen were to be excluded. If the committee ſhould ſo determine, then whether Sir Guy Carleton held any place or poſt within the meaning and intention of the clauſe, if it ſhould be retained in its preſent form.

For his part, when he brought in the bill, he had no intention of propoſing Mr. Bowlby; and he could not help ſaying, that conſidering all the circumſtances, particularly that gentleman's tried abilities and experience, in paſſing the army accounts, he thought it would be a very unfortunate circumſtance if the public ſhould be deprived of his ſervices; and as to any preſumed influence which might be ſuppoſed to ariſe from his then ſituation, he thought his propoſal of aſſuring to that gentleman the poſſeſſion of his place during good behaviour, inſtead of holding it at pleaſure, would inſtantly remove every objection of his being a placeman, and ſuch a

placeman

placeman as might be preſumed to act under the influence of a loſs of his place.

The honourable gentleman over againſt him, Mr. T. Townſhend, had ſtarted another objection, which was, that having accounts to paſs himſelf, and conſequently being ſubject to the controul of the commiſſioners, it would be abſurd to appoint him to controul his own accounts. He begged leave to ſet the right honourable gentleman right as to that particular. Mr. Bowlby was comptroller, but for what purpoſe? Not to receive or pay monies, but merely to examine the accounts of others, and refer them to the treaſury. When thoſe references came to the treaſury, warrants were iſſued or ſtruck, and ſent back to the comptroller, who drew upon the exchequer under the authority, in favour of thoſe who made the demand. His intended ſituation would therefore exactly correſpond with the duties of his preſent employment, that of controlling and examining the accounts of others, not his own.

Colonel *Barré* caught fire at what he called the impoſition attempted to be put upon the committee by the noble Lord in the blue ribbon. He contended, that Mr. Bowlby, as comptroller, was as liable to come under the controul and examination of the committee, as any other perſon whatever, and to have the accounts officially certified by him to the treaſury inſpected; and if any malverſation or foul practices ſhould be diſcovered, to be puniſhed according to his demerits.

It was painful to him to be obliged to explain matters in this ſtrong manner; but he truſted no perſon preſent would underſtand that he meant to inſinuate the leaſt reflection or ſuſpicion on the gentleman's character or integrity, whoſe name had, in his opinion, been dragged ſo improperly into the debate by the noble Lord. The fact was, that it was in the power of the comptroller of the army accounts, if he had the inclination, to be guilty of the moſt miſchievous frauds. He might certify any accounts, however fraudulent and corrupt, to the treaſury; the treaſury, on that certificate, might iſſue a warrant, the comptroller might tranſmit that warrant to the exchequer, and the public be cheated to an enormous amount, without the poſſibility of detection, according to the preſent mode of paſſing the accounts, unleſs he ſhould be informed againſt by the *particeps criminis*: and, ſaid he, I am aſtoniſhed at the noble Lord's confidence, in aſſerting that the office of comptroller is the only one that cannot be abuſed. I do contend, in the teeth of the noble Lord's aſſertion, that it is the only one that is ſubject to the greateſt and moſt miſchievous abuſe.

The treaſury, or thoſe who make the demand, cannot defraud the public; but the comptroller may, if he pleaſes, in concert with the perſon who makes the demand, effect that, which none of the other officers can. The treaſury can iſſue no warrant but for ſuch ſums as come certified to them by the comptroller; the exchequer nothing, but what that warrant orders; and I will tell the noble Lord boldly, what I know to be a fact, that the ſum of ten thouſand pounds was lately paid to a contractor without the neceſſary vouchers, through the channel of the comptroller and the treaſury board. I know the fact to be true, and I dare the noble Lord to contradict me. The accounts of all the contractors come to the comptroller's office to be paſſed, in the manner and form I have mentioned; and were I to lay my hand upon any one part of the financial ſyſtem, more than another, it would be that of the office of comptroller, from which ſo much good may be derived, and ſo much miſchief be averted. Beſides, I will appeal coolly to the noble Lord's own knowledge and experience. I would aſk the noble Lord, in the firſt inſtance, if the duty and office of the comptroller is not exactly analogous to that of the treaſurer of the navy, and I would lead him fairly to this concluſion: if it was believed that there was any peculation committed in the naval department, which could not be the caſe without the co-operation or permiſſion of the treaſurer, I would aſk the noble Lord, I ſay, if a committee or commiſſion was appointed to enquire into the complaint, whether he would have the confidence to riſe in this Houſe, and propoſe the treaſurer as one of the fitteſt perſons to be named for that committee or commiſſion? I am certain there are ſome things the noble Lord would not hazard; yet the two caſes are exactly ſimilar. But the noble Lord thinks, that it is money alone that is infectious, and corrupts the mind, and influences the underſtanding. His Lordſhip ſays, the comptroller handles no money, therefore he lies under no temptation, nor can ſuffer no imputation. I would wiſh the noble Lord to recollect, that the auditors of the impreſt neither receive nor pay money; yet, would the noble Lord think it decent to name the two gentlemen that fill that office, were they in every other reſpect eligible? I am clear he would not. Away then with the ſhameful pretence. I have as good an opinion of the integrity of Mr. Bowlby, as the noble Lord; but independent of that, I look upon him to be one of the moſt unfit men in this kingdom to be appointed a commiſſioner.

Mr. *Dunning* ſaid a few words, corroborating what had been advanced by his honourable friend. Moſt aſſuredly, he ſaid, the honourable gentleman whoſe name had been ſo often mentioned, could not be appointed a commiſſioner, without putting a direct inſult upon that Houſe and the nation. The laws of the land, and the law and uſages of Parliament, proſcribed any man from being a judge in his own cauſe; he truſted therefore, that both on account of the clauſe, and the reaſons juſt ſtated, pointing out the total impropriety of Mr. Bowlby's appointment, he ſhould hear no more of that gentleman as a commiſſioner. Mr. Bowlby having his conduct to juſtify in common with others, having accounts to paſs in common with others, muſt have that conduct enquired into, have thoſe accounts paſſed and controlled, in common with others.

Mr. *Fox* endeavoured to ſhew how extremely improper it would be to appoint a gentleman who lay under ſuch particular obligations to the noble Lord in the blue ribbon. He had given him a place during pleaſure, accompanied with very conſiderable emolument; he had offered now to render it a place for life; the commiſſion which the preſent bill propoſed, might, as it had been hinted by his honourable friend who ſpoke laſt, lay open ſcenes not very favourable to thoſe whom the noble Lord was known to wiſh very well; he was of opinion, therefore, that with every good and great diſpoſition it was poſſible for Mr. Bowlby's warmeſt admirers to impute to him, it could hardly be expected from that gentleman that he would exerciſe the powers veſted in him by the act, againſt the very perſon who had put him into the ſituation which enabled him to do ſo.

The *Lord Advocate* obſerved, that the ſubject ſtarted appeared to him to be of great importance, and of courſe to be worthy of ſerious conſideration. He did not accede to the arguments uſed by the other ſide of the Houſe, but in his opinion, they demanded a fuller diſcuſſion than could be expected from the Houſe at that time in the morning.

Lord *North* obſerved, that two objections had been ſtated; that he joined in opinion with his learned friend who ſpoke laſt, and of courſe he was ready to wave preſſing the matter at ſo late an hour.

The *Lord Advocate* then moved, that the chairman do report progreſs, and have leave to ſit again. It was now three o'clock in the morning.

General *Conway* roſe to give notice of a motion he intended to make next (that) day reſpecting America. This produced

duced another debate, which continued till half paſt three; and the Speaker was not in his coach till within a few minutes of four in the morning.

May 2.

Though it was agreed to meet early, and the Speaker took the chair ſoon after three, there was but a very thin attendance.

Mr. *Eden* moved the Houſe to reſolve into a committee of the whole Houſe to conſider of the trade to North America.

The Houſe reſolved itſelf into a committee; Sir Grey Cooper took the chair.

Mr. *Eden* then moved to bring in a bill, "To allow the exportation of proviſions, goods, wares, and merchandize, from Great Britain to certain towns, ports, or places, in North America, which are or may be under the protection of his Majeſty's arms, and from ſuch towns, ports, and places, to Great Britain, and other parts of his Majeſty's dominions."

Mr. *Hayley* ſeconded the motion.

Governor *Pownall* ſaid, that he had been particularly deſired, and had promiſed not to enter into any debate or oppoſition in this ſtage of this buſineſs. He alſo perceived, that the Houſe wiſhed to avoid ſuch for the preſent. He would, therefore, as he did yeſterday, ſuppoſe himſelf not to know what the gentleman's propoſitions were. That he muſt, wherever he met it, oppoſe the principle of this buſineſs, as neither the gentleman who moved, nor the gentleman who ſeconded the buſineſs, had opened the matter, he would not now himſelf do it, further than to declare and give notice, that when the bill was brought in, he ſhould move to have it printed, that the Houſe might ſee the dangerous tendency of the meaſure, and that then a day might be fixed upon for taking this matter into conſideration, when he would enter into a full explanation and diſcuſſion of it, and oppoſition to it.

Sir *Grey Cooper* reported to the Houſe, and the bill was ordered to be brought in accordingly without oppoſition.

Colonel *Onſlow* ſtated to the Houſe that as the law now ſtands, the tenants of lands on which the landlord has granted annuities, were liable to have their effects ſeized by the annuitants, without any notice being given them whatever, in caſe of the annuities not being paid up by the landlord. And that then no remedy could be had for this cruel grievance, unleſs the legiſlation interpoſed; and gave notice, that in caſe the gentlemen of the long robe did not take up this matter in Parliament, that he would move for leave to bring in a bill to oblige the holders of annuities to give due notice to tenants to

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pay their rent, before any ſeizure of effects ſhould take place for the ſame. And the notice he ſhould propoſe to be given to the tenants, would be the ſame as the law requires of mortgagees to give to tenants, before they are capable of coming upon them by diſtreſs for their rent.

May 3.

The Houſe having yeſterday reſolved itſelf into a committee, Mr. Dempſter in the chair, a motion was made by Gov. *Pownall*, "That leave be given to bring in a bill to repeal ſo much of the act of the 13th of his preſent Majeſty, intitled, 'An act to regulate the importation and exportation of corn,' as relates to the warehouſing of corn."

He then ſaid, he did not wiſh to avoid the full diſcuſſion of this matter. He wiſhed it might be thoroughly conſidered and fully diſcuſſed; and that all which he wiſhed, was to bring it to that iſſue. He only wiſhed not to loſe time, and be prevented from bringing forward the remedy which the country called for.

Lord *North* agreed to let the Member take the ſtage; but reſerved himſelf to object to it on the conſideration of the bill.

Sir *T. Clavering* ſaid, he had, in the meeting of gentlemen at the Star and Garter, conſented to this meaſure, ſo far as it went to ſtop importation; but that he had his doubts about the repeal of the clauſe. He wiſhed to ſtop all importation till next ſeſſion, by a temporary bill.

Lord *Nugent* oppoſed the propoſition, but agreed to its taking this ſtep in the proceeding of the buſineſs, on the precedent ſet by the honourable gentleman himſelf, yeſterday, on the New-York bill; but would oppoſe it when the bill was brought in.

Mr. *Sibthorp* ſtated the inconvenience and miſchiefs of the warehouſe clauſe, and the operations of the meaſure, in a very clear and buſineſs-like way, which was very much attended to.

Governor *Pownall* replied to Lord North and Lord Nugent, and afterwards the motion paſſed without a diviſion.

The Houſe being reſumed, Sir *George Savile* preſented a petition, ſigned by ſeven thouſand perſons, and upwards, reſiding in Halifax, in the county of York, ſetting forth, that the additional duty laid upon malt, or private brewery, bore particularly hard upon them, and therefore praying relief as ſhould ſeem meet to the honourable Houſe.

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a long and deſultory debate thereupon took place, in the rſe of which a variety of opinions were introduced, as to manner in which it would be beſt to diſpoſe of the tition.

Sir *Grey Cooper* ſtrongly objected to the receiving it at all, it was contrary to the eſtabliſhed rule of Parliament to accept of any petition againſt a new tax, under which deſcription of petitions that now preſented by the honourable Baonet [Sir George Savile] moſt undoubtedly was.

Sir *George Savile*, however, would by no means be brought to concur with the honourable gentleman, but moved that the ſaid petition ſhould be referred to the committee that was to ſit the next day on the malt bill.

The converſation of the Houſe then turned on the queſtion, whether the petition ſhould be referred as moved for, or ſhould only lie on the table, while another opinion was, that the petition ſhould be totally got rid of in the preſent ſtage of it, by a vote of the Houſe for that purpoſe. In the courſe of this converſation the practice of the Houſe was recurred to, and precedents both for and againſt, conſidering petitions reſpecting taxes, were equally quoted.

Mr. *Rigby* ſaid, the petition brought in by the worthy Baronet, was unqueſtionably a petition againſt a tax, and as that was the caſe he ſhould certainly oppoſe it. Petitions againſt taxes could only ſerve to perplex and delay buſineſs, and for no other one purpoſe. The cuſtom of Parliament too had, as far as he had underſtood, been much againſt it, and he was one of thoſe who did not wiſh to depart from old and eſtabliſhed rules. Another objection too, and a very ſtrong one againſt ſuffering the petition to go to the committee on the malt bill, was on account of the perſons who had ſigned it. For who were they? Intereſted perſons. A ſet of people immediately in the matter they had petitioned about. But his opinion was firm, that no petitions ought to be received againſt taxes, and eſpecially that counſel ought by no means to be allowed in ſupport of them, for if that ſhould be the caſe, there would be no end to the buſineſs of Parliament. They might come all the year round, and not finiſh the conſideration of the various petitions they ſhould have preſented to them.

The tax itſelf he verily believed, bore heavy upon the people, and no one could wiſh more than he did, that it could have been avoided; but in the preſent ſituation of things, he thought the miniſter could not have ſuggeſted a better mode

of raiſing the money that would ariſe from the additional duty laid upon malt. With reſpect, however, to the petition, he could by no means agree to its going to the committee on the malt bill, and if it ſhould be perſiſted in, he would certainly take the ſenſe of the Houſe upon it.

Mr. *Fox* denied, that the petition before the Houſe could be with any kind of propriety kept from the reference moved for. He would, he ſaid, maintain this aſſertion, even admitting the argument uſed againſt petitions againſt taxes, for this petition, preſented by the honourable Baronet, [Sir George Savile] was not a petition againſt the malt tax, but againſt the mode of it. The petitioners ſet forth that the tax was an unequal one, and only prayed to be relieved from that inequality. To refuſe, therefore, to refer it to the committee if was moved to be referred to, would in fact be nothing leſs than a total rejection of the bill itſelf.

The petition was as to the mode of the tax, who then could it be referred to but the committee, who only could modify it? But a ſtrong objection the right honourable gentleman had to the petition, was, the ſubſcribers to it were intereſted perſons. This was, in his opinion, a ground of objection no leſs extraordinary than curious; for who but intereſted perſons ever petitioned on any matter that was the ſubject of their petition? Or what was more natural than to ſuppoſe that thoſe who ſigned a petition of any kind were intereſted perſons?

The honourable gentleman reminded the Houſe of the ill-judged rejection of all the American petitions, and the dreadful conſequences that followed therefrom. The exciſe bill too had, in his opinion, better never have been paſſed, than for the Houſe to have repealed it three years afterwards, and he thought it much better to hearken to petitions in time, than to be obliged to make apologies ſome little time afterwards for having rejected them.

Lord *North* ſaid, that if all the perſons intereſted in a new tax might petition the Houſe, all the people in England would come to them, for they were all of them at ſome time or other intereſted in the taxes; but as all the people could not petition them, they were certainly to ſpeak through their repreſentatives, and that was certainly the right and conſtitutional way of proceeding. With reſpect, however, to the preſent petition, he did not very well know exactly how to act. His opinion was, that it would be beſt to let it lie on the table, in order that he might the better inform himſelf of

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recedents regarding it, and then it was very poſſible he ıt be of another opinion.

ſr. *Townſhend* was of the ſame opinion, and thought it ght, for the preſent, lie on the table, as the noble Lord ſ, he did not know but that he might vote for its going to committee.

Mr. *Rigby* replied, that it would be better to decide upon ıe petition at once; for if it was not totally rejected, the louſe would have a hundred petitions, of the ſame nature, ıefore to-morrow morning.

The order of the day was then called for, and the matter was going off, when Lord *George Gordon* aſked what was to be done with the petition? And the Speaker anſwered, that it lay on the table.

Mr. *Rigby* upon that roſe again, and oppoſed the order of the day, which being moved for, and put, was carried without a diviſion.

The Houſe then divided upon the queſtion, whether the petition ſhould be referred to the committee on the malt bill, or not, when there appeared 61 for it, and 123 againſt it.

Lord *Beauchamp* repreſented to the Houſe, that ſome of the accounts of the expenditure of the public money, delivered in by a right honourable gentleman, whom he would name [Mr. Alderman Harley] had been much altered ſince they had been on the table. No one, he ſaid, was more willing than he was, that papers before the Houſe ſhould be communicated to the people through the public prints, provided it was done fairly and candidly.

But this was a very different caſe. Accounts laid before the Houſe, had, he ſhould ſuppoſe wantonly, been mutilated and altered. How to account for it, he was not, his Lordſhip ſaid, ſo well prepared for, though he ſhould hope gentlemen did not, in making uſe of the privilege they had of examining the papers at the table, ſometimes put them in their pockets, and leave them accidentally at their homes, affording thoſe about them an opportunity of altering thoſe accounts they might take away with them.

Mr. Alderman *Harley* confirmed what Lord Beauchamp had ſaid, and with this addition, that his accounts had no only received many mutilations, but interpolations alſo.

Colonel *Barré* allowed the fact, as ſtated, to be exceeding cruel, and that the vengeance of the Houſe ought to f upon the authors of it, but wiſhed to wave the matter, as *was not* then properly before the Houſe.

Mr. *Ord* thought the matter of the higheſt conſequence, and that it ought to be inveſtigated immediately, for it was hard to judge whether any accounts upon the table were right or not.

Mr. *Brett* eſteemed the buſineſs equally ſerious, and called upon the noble Lord [Lord Beauchamp] to mention who of the members had carried away any papers from the table.

Lord *Beauchamp* explained himſelf, and ſaid, he had not charged any members with having done it, but had only hoped that none of them had taken any of the papers home with them.

The *Speaker* thought the matter of a very important nature, and hoped it would not be ſuffered to paſs off without ſome ſtep or other taken to ſift it to the bottom.

Lord *Beauchamp* then moved for a committee up ſtairs, to enquire into the fact, and the motion being carried *nem. con.* a committee was appointed accordingly.

The order of the day was then called for, and the Houſe reſolved itſelf into a committee of ſupplies, Mr. Elwes in the chair, on the army extraordinaries.

Colonel *Barré* went into a particular inveſtigation of the ſubject, and compared the ſums expended in former wars to thoſe laviſhed in the preſent one, proving that it had coſt the nation leſs when in the purſuit of real glory, that it did now, when the Britiſh ſword was only reeking with the blood of our friends and relations. There was, the honourable gentleman ſaid, an immenſe ſum of money, in the extraordinaries of the army, hitherto unaccounted for: it was no leſs a ſum than 1,588,272l. 2s.

Lord *North* ſaid, that there was no other method that government could take, than to comply with the requiſitions made by the commander in chief, who always had whatever ſum he wrote for, and all that could be ſhewn, perhaps, at preſent for them, was his warrants, which he returned every quarter.

Colonel *Barré* replied, that it did not ſurprize him to be told that, for it was what he expected, but though he was againſt crippling the commander in chief, he thought the ſupplies granted him might be given with too laviſh a hand, though what he wanted to know, was how and for what the money iſſued had been expended.

He ſtated ſeveral calculations of a moſt ſingular nature. He ſaid that it was impoſſible to know the real ſtrength of the army thus provided for in North America, as the miniſters would

never produce the returns; the only method to gain nformation was to look at the account of ſtoppages made the ſoldiers on account of proviſions: that thoſe ſtop- s were at the rate of two-pence half-penny per day from 1 ration of proviſions, which was about 3l. 16s. per annum each man; that it appeared by thoſe accounts that ſtop- ges had been made from a little more than 40,000 men; at the ſum remitted to North America in 1779, which as 1,588,027l. each ſoldier coſt his country in extraordina- es, neither explained or accounted for, about 40s. ſterling er annum, over and above the pay, &c. mentioned in the irſt reſolution.

He ſtated to the Houſe, that the article of proviſions for the year of our great armament, 1776, was 404,856l. that in the following year it was 415,259l. that in the year 1778, 628,609l. The miniſter ſatisfied the Houſe on this ſubject, by ſaying, that the increaſe was owing to their having ſent ſix months extraordinary proviſions to prevent any accident, which might ariſe from the delay, loſs, or capture of victual- ing ſhips, which occaſion the total ruin of the army.

In 1779, the article of proviſions is 803,190l. which is very near double the ſum voted for in 1776, and is by no means to be accounted for by any extraordinary reinforcements ſent to North America ſince that time. He ſtated that the expence of freight, armament, &c. attending the tranſporting theſe pro- viſions, amounted to conſiderably more than 400,000l. which is much above fifty per cent. and in ſome years that per cent- age was far higher: that taking the proviſions with this ad- ditional charge, they amounted to above 1,200,000l. which for 40,000 men was above 30s. for each ſoldier per annum: that out of this ſum the ſtoppage of 3l. 16s. per annum for each man muſt be deducted, and then it will appear that the nation pays, in the articles of money and proviſions for each ſoldier, above ſixty-ſix pounds ſterling per annum; beſides, and over and above his pay and cloathing, the ordnance, the tranſport ſervice, which are amazingly high, &c. &c. &c.

He concluded with moving, "that it appears to this com- mittee, that the ſum of 1,588,027l. 2s. is ſtated in the paper preſented to this Houſe, to have been applied to the ſervi of his Majeſty's land forces in North America, from the 3 of January, 1779, to the 1ſt of February, 1780; of wh ſum no account whatſoever has been laid before Parliam The ſaid ſum being over and above the pay, cloathing, *viſions*, with the expence of freight and armament atten ordnance, tranſport ſervice, oats, blankets, expen

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Indians, pay of certain general and general-ſtaff officers, pay of ſeveral commiſſaries, and other allowances for the ſaid forces."

Sir *William Howe* ſaid a few words upon the method obſerved in drawing upon government for ſupplies, and the accounting for the expenditure of the ſame.

Mr. *Robinſon* enumerated the ſeveral quarterly warrants that had been received from America, ſtating the expenditure of the money, and laid upon the table of the Houſe. Theſe warrants, which were the beſt vouchers, that in the preſent ſituation of the war could be procured, amounted to a very conſiderable part of the ſum in the motion.

Some converſation, conſiſting chiefly of queſtion and anſwer, took place between Colonel Barré, Mr. Robinſon, Mr. Cornwall, Sir William Howe, and Lord North, which it would be difficult to follow minutely, but which in ſubſtance went to the manner of iſſuing the public money to the commander in chief on his requiſitions; and he ſent quarterly warrants in return, ſtating the actual expenditure of the money, but his accounts ſtill remained unliquidated, as they could not undergo the courſe of exchequer, with all its embarraſſments and difficulties, for years to come.

Theſe quarterly warrants up to March 1777, had been laid upon the table, agreeable to the requiſition of the Houſe, and the remainder to within the laſt ſix months, or thereabouts, were ready alſo to be laid upon the table, if they were called for.

Mr. *Robinſon* ſaid, that all the money in the accounts upon the table, ſtated to be paid to Harley and Drummond, for the army in America, was not in fact deſtined for that ſervice; 50,000l. had gone to Gibraltar, and 25,000l. to Minorca, by the laſt fleet.

Sir *George Savile* deſired that the Houſe might have ſome leſs contradictory information of the expenditure of this money.—The accounts ſaid it was gone to America, and the honourable gentleman to Gibraltar. He did not know the meaning of their concealments.

Lord *North* ſaid the warrant was iſſued for the money in the name of Drummond and Harley, in order to conceal the expedition from the enemy; and the ſtratagem had had its effect; for the Spaniſh Admiral declared he had no reaſon to believe that Sir George Rodney's fleet was going into thoſe ſeas, and the warrant being expreſſed in this manner, it muſt be ſo laid before the Houſe.

Mr. *Cornwall* entered into the argument, and ſaid that in either of the two propoſitions,—1ſt, that there was a better means of accounting for the money in the hands of the com-

der in America, and he had not purſued it; or 2dly, that Treaſury had it in their power to contrive a better and re ſpeedy mode of liquidating his accounts, and did not do ; in either of theſe propoſitions the motion in its full ex- ıt would be extremely proper; but if neither of theſe pro- oſitions was founded in truth, then it would be highly im- roper to convey the cenſure which was couched in the con- luſion of the motion. The bare ſtatement of the fact, that ſo much money had been ſent to America, for which Parlia- ment had no eſtimate, was undoubtedly true, but this fact needed not be attended with the warm colouring that enſued.

Sir *William Howe* explained the manner in which the commander in America accounted for the money, to ſhew that he had it not in his power to expediate his liquidation; and in doing this he ſhewed, that though there was a comptroller, yet the whole detail of accounts came under the inſpection and controul of the commander.

Mr. *T. Townſhend* adverted particularly to the very great impropriety of ſuch a load being laid upon the mind of a General in an active campaign, and he wondered how it had been even conceived by the preſent miniſtry, that in the heat of ſervice, a commander in chief could be diverted from the chief purpoſe of the war, by the detail of accounts.

General *Conway* thought the ſyſtem exceedingly defective, and very irkſome. In the laſt war there had been a comptroller-general, who had been inveſted with the ſole charge of the accounts, and who had tranſmitted regular vouchers monthly to the treaſury.

Mr. *Cornwall* gave a detail of the ſyſtem of the commiſſariat eſtabliſhed laſt war, and which he ſaid aroſe ſolely from the circumſtance of the commander's being a foreigner. He then gave a picture of the difficulties and embarraſſments of an Exchequer; and, in juſtice to the officers lately returned from command in America, he ſaid they had come to the Exchequer, diſdaining to take refuge in the forms of law and become amenable for the whole of the money iſſue through their hands.

Mr. *Burke* was exceedingly ingenious in his commenta upon Mr. Cornwall's difficulties, and ſaid, that notwithſtar ing them all, he thought they would be nothing, if men w to come with a diſpoſition to encounter them.—He was vere on the idea that men, who had been educated in the chequer, were unable to get rid of the difficulties; and *the maſters in* chancery were not fit to inſtruct them, a *urd of* ignorant men was to be ſet up, to diſfranchi

Houſe of Commons, and in one twelvemonth diſpel the whole maſs of difficulty that had been accumulating ſince the days of Henry VIII. He reverted to the queſtion, and ſaid, all this was no anſwer to the people, when they demanded to know what was become of their money.

Mr. *Dempſter* roſe to ſpeak, but the cry of queſtion and withdraw was ſo great, that he thought it prudent to ſay, that it was indecent in gentlemen to prevent a member from giving his opinion on a queſtion, and more ſo to ſtrive to put a debate to an end in ſo unſatisfactory a manner.

Mr. *Clayton* called him to order, and ſaid that any gentleman had a right to order ſtrangers to withdraw, and he accordingly moved that the gallery be cleared.

Strangers were ordered out.

The Houſe divided,

Ayes 57. Noes 123.

Colonel *Barré* then made the three following motions,

That it appears to this committee, that the ſum of 3,796,543l. has been applied to the ſervice of his Majeſty's land forces in North America, in the years 1775, 1776, 1777, and 1778, of which ſum no ſatisfaction has been laid before Parliament. The ſaid ſum being over and above the ſums ſtated in the accounts for pay, cloathing, proviſions, with the expence of freight and armament attending them; ordnance, tranſport ſervice, oats, blankets, expence of Indians, pay of certain general and ſtaff officers, pay of ſeveral commiſſaries, rum, and other allowances for the ſaid forces.—Negatived.

That it is the opinion of this committee, that the practice of incurring and paying extraordinaries of the army, to ſo large an amount, without either explanation or ſatisfactory account, and without authority of Parliament, is not warranted by precedent, is a dangerous invaſion of the rights of this Houſe, and one of the groſs abuſes in the expenditure of the public money, complained of in the petitions of the people.—Negatived.

That it is the opinion of this committee, that the creation of new, unneceſſary, or ſinecure offices in the army, with conſiderable appointments, is a profuſion of the public money, and the more alarming, as it tends to increaſe the unconſtitutional influence of the crown.—Withdrawn.

The Houſe was up at half paſt one o'clock.

May 4.

Soon after the Speaker had returned from the Houſe of Lords (where he had been to attend the Lords commiſſioners

empowered to give the royal aſſent to ſuch bills as were ready) and had taken his ſeat in the chair;

Lord *Beauchamp* brought up the report from the committee appointed to enquire into a complaint ſtated the preceding evening, againſt ſome perſon who had wantonly altered the accounts preſented to the Houſe by the right honourable Thomas Harley.

The report was read at the table, and purported, that the committee had enquired into the matter referred to them, and that they found various alterations, which they ſtated to the Houſe minutely. Some of them were very extraordinary, ſuch as an alteration of the figures which expreſſed a charge of 1l. 10s. for porters, &c. ſorting and telling bags, and doing other buſineſs. This 1l. 10s. was altered into 761l. 10s. a charge of 2l. 2s. was changed into 12l. 2s. and various others in like manner.

His Lordſhip, as ſoon as the report was read, ſaid it did not appear to the committee that the alterations were made with any malicious deſign to injure the right honourable Alderman's character, but merely out of ſport and wantonneſs. As a repetition of the ſame wantonneſs might however produce very bad conſequences, he thought it became the Houſe to come to ſuch reſolutions as ſhould appear likely to prevent the repetition of ſuch wantonneſs in future. His Lordſhip then made the three following motions:

Firſt, "That it appears to this Houſe, that ſeveral alterations have been made by perſons unknown, in an account preſented to that Houſe on the 23d of March, 1779, by Mr. Alderman Harley, being particulars of the ſeveral ſums of money remitted, together with the charges and commiſſion attending the ſame from the 31ſt of May, 1774, to the 13th of March, 1778, both excluſive, for the uſe of his Majeſty's forces in America."

Secondly, "That it is highly criminal, and a breach of the privilege of this Houſe, for any perſons whatever to make any alterations in accounts preſented to this Houſe, without the ſpecial order of the Houſe."

Thirdly, "That the papers and accounts preſented to this Houſe be carefully preſerved by the clerk in whoſe cuſtody they are intruſted, and that no perſon be permitted to take the ſame from this Houſe under any pretence whatever; and if any perſon ſhall preſume to take any paper or accounts from the Houſe, that the ſaid clerk do forthwith acquaint

acquaint the ſaid Speaker, that the Houſe may be informed thereof."

Theſe reſolutions were ſeverally put, and agreed to *nemine contradicente.*

The order of the day being read for the Houſe to reſolve itſelf into a committee upon this bill, the Speaker left the chair, and Mr. Ord took his ſeat at the table.

As ſoon as the firſt clauſe was read by the chairman, as far as the blank to be filled up with the date, from which the bill was to be in force.

Sir *Grey Cooper* propoſed filling it up with the words "the 25th of May."

Sir *James Lowther* propoſed to inſert early in the clauſe, a ſentence expreſſing that the tax of 6d. per buſhel on malt ſhould be the duty throughout England "excepting only, in ſuch counties, as ſhould be thereafter excepted," meaning to inſert a little lower in the bill, a clauſe "excepting the counties of Cumberland and Weſtmoreland from the 6d. duty, and putting them on the ſame footing as Scotland was intended to be put upon."

This gave riſe to the firſt debate.

Sir James opened it, by repeating his former arguments reſpecting the poverty of the ſoil of the counties of Cumberland and Weſtmoreland, and ſtating, that they produced as little good barley as any part of Scotland, where barley or bigg, or bear was cultivated.

The *Solicitor General* differed in opinion from Sir James, and entered into a deſcription of the ſtate of the agriculture in thoſe counties, declaring at the ſame time, that he as much wiſhed for favour to be ſhewn to thoſe counties as the honourable Baronet; if the clauſe paſſed, Mr. Solicitor ſaid he ſhould move that Northumberland be alſo favoured in like manner.

Sir *James Lowther* replied, and ſaid the learned gentleman, from his profeſſion, had not ſeen thoſe counties ſo much as he had; that he knew places thirty-five miles from a market town, and that he knew barley grew on the borders of Scotland, and that a river, not bigger than the table, parted the two kingdoms at one portion of the diviſion of Cumberland from the ſhire of Dumfries, and the Scotch dyke at another. He had ridden acroſs the country, and through every part of it, and knew its ſtate exactly, both in point of inhabitants and produce.

Sir *George Savile* ſaid, if they went into a general debate the parts that would be moſt affected by the tax, he could oduce affidavits, ſtating that certain diſtricts of the Weſt iding of Yorkſhire, near Halifax, were inhabited by an icredible number of manufacturers and their families, who ere crammed together in a very narrow compaſs, where hey could get no milk, the common food of every other part of the kingdom, and were obliged to feed their children with what they called pottage, being a little mixture of oatmeal and ſmall beer of their own brewing: theſe people, Sir George ſaid, would be very greatly affected by the tax, if it were laid in the manner intended.

Sir *Grey Cooper* ſhewed the neceſſity for impoſing the tax, contended that it was laid in the eaſieſt manner poſſible, and ſaid, that every tax, as it would more or leſs oppreſs ſome individuals, would be complained of by ſome perſons or other. He entered into the argument reſpecting the counties of England where poor barley was produced, as well as in Scotland, and ſhewed that it was highly neceſſary to draw the line ſomewhere. He then went into a minute and nice detail of the exact proportionate effect of the tax on all ranks of people, pointing out with wonderful accuracy and preciſion the arithmetical proportions of coſt, which the new tax would entail on individuals of each deſcription; as in order to do this correctly, he frequently had recourſe to manuſcript accounts which he held in his hand—He was interrupted by

Sir *George Yonge*, who declared, though the honourable Baronet had got his leſſon very well, and was ſaying it with great ſmoothneſs, he muſt interrupt him.

Sir *Grey Cooper* did not reliſh the word leſſon, and with great warmth ſaid he was doing his duty as a member of Parliament, a duty he owed his country, and which he would diſcharge faithfully. He did not underſtand ſaying a leſſon any more than the honourable Baronet, who had interrupted him in ſo diſorderly a manner.

Sir *William Meredith* roſe to ſpeak to order, and with great adroitneſs, contrived to cool the growing heat. He then re- robated the idea of attacking in the detail, the parts of bill for laying a heavy burthen on the poor, which muſt b acceded to, though it ground the face of the poor, ſo as t affect every feeling mind. Sir William complained of t Houſe not firſt complying with the petitions of the peop

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before they proceeded to add new miſery by impoſing new burthens upon an already diſtreſſed nation.

Sir *George Yonge* apologized for what he had ſaid, and made a ſhort ſpeech againſt the bill in its then form, giving notice that he ſhould move to lower the tax in England.

Sir *Grey Cooper* then thanked Sir William for having covered his retreat, and proceeded with his detail.

Sir *Edward Aſtley* warmly complained of the hardſhip which the new tax would be upon the maltſters and the poor.

Mr. *T. Townſhend* made a ſhort ſpeech againſt laying any tax before the grievances of the people were redreſſed.

Several other gentlemen ſpoke againſt England's paying ſo much and Scotland ſo little. At length,

Lord *North* ſaid the tax was neceſſary, that it was not oppreſſive, that no other diſtinction was made in favour of Scotland than had been made by the former act; that the line muſt be drawn ſomewhere, and that it would be very unwiſe to make any further local exceptions. He ſtated the encouragement for complaining againſt the taxes, which thoſe in the country but too generally received from their ſuperiors, and ſaid he had heard of the old fable of the man getting the better of the lion, which was ſhewn to a lion, and when that royal beaſt was aſked, how it happened that the man ſhould get the better? the lion was ſaid to have anſwered, that the reaſon was, the ſculpture was the work of a man. This fable, his Lordſhip ſaid, had been induſtriouſly circulated, and had tended not a little to enflame the minds of people who had been taught from it the declaration, that the reaſon why the taxes oppreſſed the poor, and not the gentlemen, was, becauſe the gentlemen laid the taxes. The fact, his Lordſhip declared, was not ſo. Gentlemen laid the taxes equally, and the only reaſon of any apparent difference, was the neceſſity of the caſe, and the neceſſity of keeping the exciſe officers out of private houſes.

The committee divided on the amendment, when the numbers were

Ayes 35. Noes 118.

They then proceeded on the exemption of Scotland, and Sir *George Yonge* moved, that England ſhould only pay 5d. per buſhel.

After a long debate, in which Sir Grey Cooper, the Lord Advocate, Sir Edward Aſtley. Mr. Sawbridge, Mr. Charteris, Mr. J. Johnſtone, Lord Frederick Campbell, Sir Thomas Frankland, Mr. T. Townſhend, Sir George Savile, Colonel Hartley, Mr. Whitbread, Mr. Baker, Lord Irnham, and Sir Adam Ferguſon, took part, Sir Philip Jennings Clerke moved by way of amendment, that England ſhould pay only three-pence per buſhel additional duty.

The injuſtice of any partiality in favour of Scotland, and its ability to bear the burthen of the ſix-pence per buſhel, was argued and inſiſted on by the gentlemen who ſpoke for the amendment, while the inability of Scotland to pay the tax was as ſtrenuouſly maintained by the gentlemen who ſpoke againſt it.

Sir *Thomas Frankland* loudly inſiſted on it that the poverty of Scotland was a tax on England. That if Scotland did not grow as good barley as we did, the Scotch ſent twenty thouſand beaſts into England to fatten, horned beaſts, he ſaid, and black cattle, which they ſold, and took all the money back to their own country.

Lord *Irnham* ſaid, the Scotch brewed as fine ale at Glaſgow, as ever he drank in England; and that they exported a great deal of it to Ireland, where alſo he had frequently drank it.

Mr. *Charteris* ſaid it was very true, but that ſort of beer was not the common beverage of Scotland. He acknowledged that they could brew as fine ſwelling malt liquor as ever the learned Lord, who on a former occaſion had uſed the phraſe, could wiſh for, but that it would take twice the quantity of malt to make it.

Sir *Adam Ferguſon* ſaid, that Scotland had a right to the diſtinction made by the former act, and intended to be made now. That the whole queſtion turned upon facts. If it took twice as much Scotch malt to brew the ſame ſort of beer as it would take of Engliſh malt, and that it did, he declared as a man of honour, he was convinced moſt ſatisfactorily and fully, it was a matter of juſtice, and not a matter of favour to Scotland, that only half the Engliſh duty ſhould be paid by that country.

Mr. *Sawbridge* ſaid the Houſe was proſtituted, and he expected no good from that Parliament. He complained of the

the injuſtice done to the people by impoſing new taxes, and ſuffering the produce of thoſe taxes to go into the hands of thoſe who had ruined the country, before any of the public grievances were redreſſed.

The queſtion being put on the amendment, it was carried in the negative.—The whole clauſe as filled up by Sir Grey Cooper, was put and divided upon;

Ayes 125 Noes 39

It was then moved, that the chairman leave the chair, and report a progreſs. The queſtion was put and negatived.

Mr. *Whitbread* ſaid he hoped a clauſe would be inſerted, to prevent the Scotch from importing Engliſh barley and brewing it into beer, to export to Ireland at half the malting duty, that the Engliſh brewer exported beer at to Ireland.

The *Lord Advocate* ſaid, as the barley muſt be exported and carried to Scotland in winter, the length of the voyage, from uncertainty of weather, would ſpoil the barley, therefore it was not to be feared.

This was denied, and gave riſe to another debate.

Lord *George Cavendiſh* ſaid, to his knowledge, barley was carried by ſea, from Suſſex and Hampſhire, to the ports of Lancaſhire, and there made into malt.

Mr. *Whitbread* ſaid, as good barley grew near Burlington as in any part of England, and it was but a ſhort voyage from thence to Leith.

At length there being no queſtion before the Houſe on this point, *Sir Grey Cooper* ſaid, if any honourable gentleman choſe it, he might move for a bill on the report.

The next clauſe taken into conſideration was that which enacted, that the duty ſhould be impoſed upon the preſent ſtock in hand of the maltſter.

Sir *Grey Cooper* moved that a duty of 6d. per buſhel be laid on the ſtock in hand of maltſters in that part of Great Britain called England, and 3d. per buſhel on the ſtock in hand of the maltſters in Scotland, the ſaid duty to be charged on their ſtock in hand on the 25th inſtant.

Sir *Joſeph Mawbey* argued the unfairneſs of impoſing the duty upon the ſtock in hand of maltſters, while in the duſt, deſcribing to the committee, what the nature of malt in the duſt was, and ſtating, that it had in it the dirt, or coom, as it was termed, which formed a conſiderable portion of it, and which was removed from it, when it was ſcreened, and always prior to its being rendered fit for ſale; in which

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ſtate only he contended, it ought to be made chargeable with duty. Sir Joſeph concluded his ſpeech with moving, as an amendment to an early part of the clauſe, the inſertion of a ſentence, which ordained, "that on meaſuring ſuch part of the maltſters' ſtock in hand as ſhould be in the duſt, an allowance of one tenth proportion ſhould be made the maltſter, on account of the dirt or coom, which from its unſcreened ſtate, would be mixed with the malt."

Sir *Grey Cooper* ſaid, the amendment propoſed by the honourable Baronet, was totally a new matter, and that no ſuch matter was heard of when the laſt act for impoſing a duty on malt was in agitation, the maltſters at that time not thinking it worth their while to urge any ſuch requeſt to the Houſe.

After the clauſe had been ſpoken to by other gentlemen, the queſtion was put upon the amendment, and negatived without a diviſion.

Mr. *Whitbread* aſked when the duty on the ſtock in hand was meant to be collected?

Sir *Grey Cooper* ſaid they were not come to that clauſe yet; it was the next; that the old act gave a month from the time of charging the duty, he meant to move the ſame time now.

At length the chairman proceeded to read the clauſe onwards, and when he came to the end of it,

Mr. *Baker* roſe, and ſtated that the maltſters in general had large ſtocks in hand, that they had ſtrained their capital and their credit to provide thoſe large ſtocks; that (as they could not expect to ſell their ſtocks at once, and had no likelihood of receiving back any part of the money which they would be out of pocket, provided they paid the new duty immediately, or, within a ſhort time, after it was charged), it would be a hardſhip upon the whole trade, and perhaps the ruin of many, if a reaſonable time was not allowed them for the payment of the duty; he therefore moved, that ſome additional words ſhould be added to the clauſe, putting off the payment for four months; namely, to the 25th of September next.

Lord *North* roſe and ſaid, if the ſtock in hand of the maltſter was not charged with the duty, it would be impoſing a tax on a part of the public for the benefit of the maltſters, and not upon the public equally. His Lordſhip added, that the time allowed by the preſent bill for the payment of the duty on the ſtock in hand, was much more in favour of the

the maltſters and brewers, than the time given by the former act, for in that caſe the duty was propoſed on the ſtock in hand in the middle of January, and the act took place and was in force on the 8th of February, and then a month was given for the payment of the duty on the ſtock in hand. The intention of charging the duty on the ſtock in hand now, had been announced to the public above ſix weeks, and as the charge was only to be made on the ſtock in hand on the 25th inſtant, and a month was to be then given for the payment of the duty, as before, the maltſter undoubtedly had a very great advantage from the looſeneſs of the preſent bill, and of the manner of paſſing it into a law, if ſuch it ſhould become. With regard to what the honourable gentleman had ſaid of the great ſtocks in the hands of the maltſters at preſent, he could not quite adopt that opinion, having pretty good information, that it was not, generally ſpeaking, the caſe, and knowing, as every gentleman muſt know, that the maltſter had enjoyed an opportunity of diſpoſing of that ſtock, to ſingular advantage, for ſome weeks, and that he would enjoy the like advantage, for ſome weeks to come. His Lordſhip ſaid further, that he thought if the bill had not been ſo long in paſſing, the maltſters and the brewers would nevertheleſs be able to dip their hands immediately into the public purſe, and to derive conſiderable benefit previous to the period of payment for the ſtock in hand.

Mr. *Whitbread* roſe upon the latter expreſſion, and aſked in what manner he could poſſibly dip his hand into the public purſe, when he had only ſeven weeks' credit from the exciſe office. He declared he was as ready to pay immediately, as to enjoy the advantage which the noble Lord erroneouſly thought ſo great. Mr. Whitbread went into a deſcription of the hardſhip upon the maltſter, in caſe he was obliged to pay the duty upon his ſtock in hand within a month after it was charged, and ſhewed that there was no fallacy in the deſcription, by circumſtantially ſtating the nature of the maltſter's buſineſs, the ſeaſon in which the malt was made, the time of the brewer's becoming the maltſter's cuſtomer, of his wetting the malt, and the credit given to the brewer by the maltſter. He urged the noble Lord in the blue ribbon, to take the matter into his conſideration, and not to inſiſt on terms which would probably do more harm to the public revenue, as well as injury to the malting trade, than the noble Lord could poſſibly imagine. He concluded with

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aſking why a longer time might not be allowed the maltſter to pay for his ſtock in hand, and why the amount of the duty might not be collected by inſtallments?

Mr. *Mayor* enforced the arguments of Mr. Whitbread, and declared, that to his knowledge the maltſters of the town which he had the honour to repreſent, and in its neighbourhood, had not diſpoſed of a handful of malt this year, and that they had no chance of ſelling to any advantage till September; and then, as it was the cuſtom to give the brewer ſix weeks credit, the firſt of the draw-back the maltſter would receive would be in November. He aſſerted that the tax was laid on a ſinking market, which made the caſe ſtill harder, and he very forcibly deſcribed the ſevere effect the bill muſt neceſſarily have upon the maltſter, if it were ſo worded, that he ſhould be obliged to pay a very large ſum in a month upon his ſtock in hand, which money there was no chance of his getting back again but by driblets, and the whole of which, it was impoſſible for him to receive for ſix months at leaſt. He termed it an unfair advantage taken by government of the neceſſities of the times, and ſaid, it was not only an oppreſſion of the whole malting trade, but muſt inevitably ruin the little maltſters, who could not poſſibly ſtand the ſhock, the bill, if paſſed into an act, would naturally give their credit. He aſſerted, that it was for this reaſon he had on the day the bill was read a firſt time, propoſed a different mode of laying the tax, viz. that of allowing the maltſter the drawback on his producing vouchers from the public brewers, of the malt ſold them, inſtead of allowing the drawback on the beer.

Lord *North* roſe and ſaid, he was very far from wiſhing to oppreſs the malting trade, or any other trade. That as the preſent was only an additional tax, and no new caſe, he had been governed by the laſt bill, and he had already ſtated to the committee, that the maltſters now, from the looſe manner of paſſing the preſent bill, would have conſiderably greater advantages than the maltſters of that day enjoyed. So far, however, was he from being inclined to impoſe a hardſhip on any deſcription of the ſubjects, in the mode of laying either a new or an additional tax, that as far as material conſiderations of revenue would allow him, he was always ready to liſten to every propoſal for the alleviation of the burthen, and now, if a reaſonable allowance could be pointed out for the payment of the duty on the maltſter's ſtock in hand, he was as willing as the greateſt friends of the malt trade could be,

be, that ſuch an allowance ſhould be given. Of all he heard on the ſubject, the propoſition thrown out by the honourable gentleman who ſpoke laſt but one, appeared to him the moſt reaſonable, viz. the taking the payment by inſtallments, and, therefore, if the dividing it into three payments, at the diſtance of one month each, would be accepted, he had no objection to adding a proviſo to the clauſe, ſtating, that ſuch ſhould be the manner in which the duty on the ſtock in hand, to be charged on the 25th inſtant, ſhould be collected.

Colonel *Hartley* roſe to enforce Mr. Baker's propoſition, as what would prove ſtill more agreeable to the maltſters; it was, he thought, no more than reaſonable, conſidering the circumſtances of the caſe. He aſſured the committee, that the honourable gentleman, his worthy colleague and he, had been applied to, both perſonally, and by letter, complaining of the bad effects of the tax, even already, before it was laid; he ſaid, he had himſelf heard from the maltſters about Newbery, Reading, and the country between thoſe towns and Abingdon, who informed him, that as ſoon as the tax was heard of, barley fell 2s. a quarter, and that malt had fallen in proportion, by which they could not ſell any of their malt without being very great loſers.

Mr. *Whitbread* roſe again, and after enforcing the deſcriptions which he and others had given of the ſtate of the malt trade at preſent, ſaid he hoped the noble Lord would make the three inſtallments extend to four months, viz. the firſt payment to be made at the end of two, the ſecond at the end of three, and the third and laſt at the end of four months.

Sir *Grey Cooper* roſe and re-ſtated the difference between the time of paſſing this act and putting it in force, and the time of paſſing the laſt act, ſhewing, that though the malt tax was then ſuggeſted to the committee of ſupply in December, the idea of taking the duty on the ſtock in hand was not thought of then, nor was it mentioned in that Houſe till the middle of January, and yet the act was in force the 8th of February; he hoped, therefore, that the firſt inſtallment would be to be paid at the end of one month, the ſecond at the end of two, and the third at the end of three.

He concluded with moving in form, that there be inſerted in that part of the bill, certain words tending to expreſs, "that the ſtock in hand be charged with the new duty of 6d. per buſhel in England, and 3d. per buſhel in Scotland, and that

that one third of the amount of the ſaid duty be paid on the 25th of June, a ſecond third on the 25th of July, and the laſt and third on the 25th of Auguſt."

Mr. *Ord* in putting this motion, as it was generally agreed to, read it rather quick, and inſtead of the 25th of Auguſt, mentioned the 25th of September, and decided the queſtion by ſaying, "the ayes have it," before any of the members, who immediately called out "the 25th of Auguſt," could make themſelves heard; before he ſat down, however, or had put the motion out of his hand, an obvious majority joined in ſaying, "the 25th of Auguſt!" "the 25th of Auguſt!"

Sir *James Lowther* inſtantly got up, and inſiſted upon it, that the queſtion was put and carried for "the 25th of September," and that the committee had no power to alter it, but muſt report it ſo to the Houſe.

Several members argued upon the unfairneſs of taking advantage of an accidental error of the chairman, who had the motion in his hand, at the time he put the queſtion, which motion expreſsly ſtated the 25th of Auguſt.

Sir *Joſeph Mawbey* endeavoured to perſuade the committee, that it was as well to let it go for the 25th of September, arguing that it was not worth the noble Lord's while to ſtand for a ſingle month, and ſupporting Sir James Lowther in his poſition, that the queſtion was carried and determined upon, and that it would be impoſing on the Houſe to report it in any other words than thoſe which the chairman had delivered originally.

Mr. *Baker*, with that fairneſs and liberality which ever mark a manly mind, ſaid, that though he wiſhed rather to have the third payment made on the 25th of September than on the 25th of Auguſt, and though the chairman had ſaid September inſtead of Auguſt, he would ſcorn to attempt to take advantage of an obvious and an accidental error. Moſt certainly the ſenſe of the committee was, before the motion was put into the hands of the chairman, that the 25th of June, the 25th of July, and the 25th of Auguſt, ſhould be the days of payment, and the honourable Baronet who made the motion had expreſsly ſtated thoſe days. Thoſe therefore who endeavoured to wreſt an oppoſite meaning from the mere error of the chairman, in putting the queſtion, an error no ſooner committed than it was rectified, were, in his opinion, thoſe who were attempting to impoſe upon the Houſe, and diſgrace the committee. Clearly the motion was for the 25th *of Auguſt*, it ought therefore to be put again, and not reported

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to the Houſe differently from the intended reſolution of the committee.

Sir *Joſeph Mawbey* warmly anſwered the idea of his attempting to impoſe on the Houſe, and ſaid the honourable gentleman was miſtaken, it was he and thoſe that were willing to alter a queſtion, after it had been put and decided upon, that were endeavouring to impoſe on the Houſe.

Mr. *Ord* read the motion, and aſſured the committee, the miſtake was his own entirely, declaring that the motion was properly worded for the 25th of Auguſt.

Lord *North* ſaid there need be no difficulty in the caſe; that the matter was eaſily rectified, it was only putting the queſtion again, and taking the ſenſe of the committee upon it.

Sir *James Lowther* inſiſted on it, that the ſenſe of the committee had been taken, and that it muſt be ſo reported to the Houſe; and then if the Houſe thought proper, it might be altered on the report.

An altercation took place on this point, which continued near half an hour. Sir George Savile, Sir Adam Ferguſon, Sir Herbert Mackworth, Lord Frederick Campbell, Sir Richard Sutton, Mr. Whitworth, and Sir Grey Cooper, arguing on one ſide, and contending that the queſtion put by the chairman, was not the queſtion propoſed; and as he could not put any queſtion from himſelf, that in fact the queſtion which had been propoſed had not been yet put and decided upon, and therefore it muſt neceſſarily be put to the committee; Sir James Lowther riſing to anſwer each, and tenaciouſly maintaining that the committee had determined the queſtion, that it was out of their power to cure the miſtake, but that if the forms of the Houſe were not violated, they muſt report it to the Houſe, and the Houſe might alter it.

Mr. *Baker* declared, if ſo unfair an advantage was determined to be taken, he ſhould hold himſelf bound in honour to riſe on the report, and move to amend the reſolution, by omitting the words "25th of September," and inſerting the words "25th of Auguſt."

At length Sir *Joſeph Mawbey* agreed, that the ſenſe of the committee had not been taken on the right motion, and Mr. Ord repeating that the miſtake was his, Sir James relaxed, and ſuffered Mr. Ord to put it again, when he read it diſtinctly as it was worded, viz. for the 25th of June, July, and Auguſt, and the committee agreed to it.

Sir *Grey Cooper* then informed the committee, that the next clauſe was that for the allowance to the public brewer, and

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muſt be altered, he would therefore proceed no further, but, with the conſent of the committee, would move, "that the chairman leave the chair, report a progreſs, and aſk leave to ſit again." Queſtion put and carried.

Roſe at half after eleven.

May 5.

General *Conway* began his ſpeech with apologizing for his attempting a taſk, which would much more fitly have been undertaken by many other gentlemen in that Houſe, of ſuperior abilities to himſelf; all he could pretend to, in juſtification of what he was about to offer to the conſideration of the Houſe, was a moſt deep-rooted ſorrow for the calamities and diſtreſſes which afflicted his country, an anxious zeal to relieve that country from thoſe calamities and diſtreſſes, and a thorough conviction that nothing could contribute ſo effectually to that end, (an end which every man who loved Great Britain, and who remembered her former proſperity, and her preſent misfortunes, muſt wiſh for as ardently as he did,) as peace with America. A ray of hope that peace might be brought about, and that the preſent was of all others the moment fitteſt for attempting it, had, he ſaid, broke in upon him. He then proceeded to ſtate to the Houſe, that he had endeavoured to mould and model his ideas on the ſubject, that they were ſhaped into a bill, and in drawing that, he had ſtudiouſly avoided touching upon any topic likely to prove contentious, or to challenge and give room for objection. He ſaid, as he had no perſonal motive whatever, he had no deſire to look to matters retroſpectively, or to uſe arguments which carried in them any thing invidious, or which had the appearance even of the leaſt blame; his deſire, his anxious wiſh was to put an end to the preſent melancholy ſituation of our affairs, and to attempt to reſtore us to a more comfortable and a more promiſing proſpect. He was ſtimulated to undertake this juſt at preſent, from two powerful motives: the one, the neceſſity of peace with America on our part, from various conſiderations; the other, the deſire and the readineſs, which he was inclined to believe, would be ſhewn by America to make peace with us, provided we took ſuch preliminary ſteps as ſhould de undeniably convincing to America, that we did not mean to deceive her, but were really and ſincerely diſpoſed, to put an end to the war, and to make peace on ſuch conditions as ſhould ſecure to the colonies the full poſſeſſion of liberty, and thoſe bleſſings which belonged to a free conſtitution.

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The General then went into an inveſtigation of the American war, and ſaid it had its origin in the proceedings of that dark committee, which ſat fifteen years ago, in that Houſe at midnight, and like a parcel of black conſpirators were laying the foundation for all the diſgrace that had ſince befallen us, and all the diſtreſs, all the miſery which America and this country had ſuffered, and ſuffered at that moment. That committee in an evil hour took up the fooliſh idea, he might ſay the fatal idea, of obtaining a revenue from the colonies, by taxing thoſe in that Houſe, who were not repreſented in it. He had, he thanked God, oppoſed the meaſure at the time, foreſeeing the probable conſequences, and warning the committee, but in vain, of thoſe conſequences. Unfortunately his predictions had proved too true, and we had proceeded ſtep by ſtep, from error to error, till we had brought upon us the preſent load of debt and difficulties. As if we had been determined to make the Americans rebels, whether they would or no, a cry of independence had been raiſed, early in the courſe of the diſpute between the two countries, and a clamour had prevailed within thoſe walls, to prove that independence was the ſole original aim of America. This clamour could not have began, much leſs could it have been increaſed till the Americans liſtened to it, and gave way to it, had the petitions ſent over ſome years ſince by the colonies, long before they took up arms, been properly attended to. He would read a few extracts from the firſt petition, and from that delivered by Mr. Penn, for he had dived into every ſource of information, that he could poſſibly find, to make himſelf maſter of the ſubject, and he found none more ſatisfactory than the petitions he alluded to, becauſe they were explicitly and truly the language of the whole people of America, authentically, formally, and conſtitutionally brought before the people of Great Britain. He then read the extracts, which contained an earneſt prayer, that his Majeſty and his Parliament would examine into and redreſs the grievances that America labour-ed under, declaring in the moſt loyal, affectionate, and dutiful terms, that by ſo doing, harmony would inſtantly be reſtored between the two countries, and that America had the moſt perfect confidence in the wiſdom and goodneſs of the King, Lords, and Commons. This petition, the general ſaid, had been treated as a piece of waſte paper, as a matter ſignifying nothing, and had been brought into that Houſe amidſt an indiſtinguiſhed heap of other papers. Thus, by our own criminal inattention to a moſt dutiful and loyal petition, was all America forced to attempt to right themſelves,

but he was ſure when they firſt began reſiſtance, they had no idea whatever of aiming at independence. He did not mean by this to infer, that there was not ſome few mad and abſurd people, of ſmall note and inferior characters, who were influenced chiefly by a view to their own intereſt, and hoped to attain it by bringing about independence; in a great and extenſive country like America, there might be ſome ſuch perſons, and he ſhould be more mad and more abſurd, than the moſt mad and the moſt abſurd of theſe ſpeculatiſts, if he could, for a moment, imagine that there were not. Why then, what had followed after the reſiſtance of America commenced? Inſtantly the law led the way, and forced us ſtill deeper into error and into miſchief. The queſtion then was not how to accommodate the difference, and how to get back to peace and quiet again; but conqueſt and ſubmiſſion were held up by grave men, and men of the firſt profeſſional characters; we were to plunge into blood, the Rubicon was paſſed, the ſword was drawn; if you don't kill them, they'll kill you—that was the language of the day, and thus the law followed by thoſe reverend miniſters of a religion which taught peace, which enforced brotherly love and affection, and which he had ever imagined pointed to other objects than political fury, war, deſtruction, and bloodſhed, egged us on through all the variety of meaſures which had marked and diſgraced our annals, ſpreading devaſtation and ſlaughter in America, draining us at home of our men and money, and rendering us objects of horror in the eyes of all Europe. The reverend bench had led this dance, and it might truly be ſaid it was the dance of death. The bench had much to anſwer for, to their country and to their conſciences; they had provoked the enquiry of the publick, which ſooner or later they might wiſh had not happened. Such provocation was a matter very unwiſe at leaſt, becauſe the more it was examined, in all probability, the conviction would be ſtronger, that the reverend Lords, acting as Peers of Parliament, were the rotten part of the conſtitution. From this war, which now every one man living, let his political ſentiments be what they would, damned and condemned, we had been drawn into a war with both branches of the Houſe of Bourbon; we now therefore ſtood with an immenſe increaſe of debt on our ſhoulders; at war with America, with France, and Spain, without a ſingle ally, without a ſingle power our friend; on the contrary, every one of the foreign powers, great as well as ſmall, acting either directly or indirectly in a manner inimical to our intereſts; even the little Lubeckers, the Dantzick-

ers,

ers, and the town of Hamburgh, againſt us! What was worſe, Holland, our natural ally, adverſe to our intereſt, and refuſing the leaſt aſſiſtance. We were therefore turned out for the hunt, like the ſtricken deer, deſerted and abandoned by all the herd. Let gentlemen, let the Houſe for a moment ſeriouſly reflect on this, and let them aſk themſelves whether a peace with America was not an object to be attained at any rate, and worth bidding for at any price.

While ſuch was our ſituation, however, it was not to be ſuppoſed that the Americans were upon a bed of roſes; moſt certainly they were not; and it was from a conſideration of their preſent diſtreſs, and from other circumſtances which he would mention, that he ſaw a ray of hope that peace might be brought about, and that it was juſt at that preſent moment that a fit opportunity offered for laying a foundation for it. The General then went into a review of the progreſs of affairs in America, their preſent ſituations and difficulties. He aſcribed their alliance with France to our having forced them to the neceſſity of making it. He ſaid the Americans were from nature, from habit, from language, from religion, naturally adverſe to the French, and from long connection, and old and laudable prejudices, much inclined towards this country. They had now found that their great and good ally was not the friend they expected. They naturally deteſted the name of a King, and preferred a republic to an abſolute monarchy. They had an immenſe debt, which France did not ſeem inclined to aſſiſt them in the payment of. France ſent them ſoldiers, which they could not bear among them, and the conduct of Count d'Eſtaing at Savannah opened their eyes to the inſtructions and deſigns of their great and good ally. Their paper currency was deprecated to ſuch a degree, that forty of their paper dollars were ſold for one ſilver dollar of 4s. 6d. value. They had this year lately ordered an emiſſion of 15000 dollars a month. Let gentlemen think of the immenſe burthen. The majority of them groaning beneath the tyranny of thoſe who had got the power into their hands, and ardently wiſhing for a reſtoration of the old form of government. Their army both ill paid, and worſe cloathed. So diſtreſſed had their army been laſt year, he was well informed, that they were reduced in a march, though every means was uſed to obtain and to coerce proviſion, to a ſmall portion of peas *per diem* for ſome days together. From all theſe circumſtances, therefore, it was evident that they were not upon a bed of roſes. And as a proof that they were not ſo zealous in the cauſe they had embarked in, as had been deſcribed,

deſcribed, he read an extract from a letter, written over to France from America, from a man of great abilities, who was ſent to America by his court a few years ſince, for the purpoſe of enquiring into the ſtate of the country, and the condition, temper, inclinations, &c. of the Americans. This Frenchman in his letter obſerved, that more enthuſiaſm in the cauſe of liberty was to be met with in a coffee-houſe at Paris, than could be met with in any part of America.

In the courſe of his ſpeech the General ſaid, the Americans were ſo right, and ſo juſtifiable in the beginning of their diſputes with us, and we were ſo manifeſtly wrong, that he was with them in principle; he had been an American till they had joined with France and Spain, the natural foes of the mother country, and he then became a Briton again. His wiſh therefore was to put an end to the war with America, the better to enable us to carry our arms ſucceſsfully againſt the Houſe of Bourbon. He expreſſed a belief, that France was much the worſe for the war, and Spain had ſuffered conſiderably by it, both thoſe powers more than we had, as far as regarded them. Having ſtated this, and a great variety of other particulars, he at length came to a conſideration of the motion he had to offer, and the bill which he meant to move for leave to bring in, framing his ideas and moulding them into the ſhape of a bill; he ſaid, he had turned his attention to all the meaſures for conciliation with America, that had been ſuggeſted, as well thoſe that had been propoſed and rejected, as thoſe which had been propoſed and adopted. He mentioned, the conciliatory bill of Lord North, the commiſſion bill, and the bill propoſed by the late Earl of Chatham. The latter, he ſaid, he had made the chief model of that he meant to propoſe: not that he had gone all the length that Lord Chatham went; the times were altered much ſince that period, and every man muſt accommodate his political meaſures to the times, and to the paſſions, the temper, and the bias of the minds of thoſe on whom his meaſures were intended to operate, otherwiſe he would be an idle ſpeculatiſt, and would never find his meaſures practicable. Lord Chatham had made the foundation of his bill, an expreſs condition that America ſhould admit the ſovereignty of Great Britain, and every aſſembly ſhould furniſh a certain quota towards the public revenue. He was aware if ſuch language was to be held out to America now, America would laugh in our face, and treat thoſe who ſhould hold it, with as little ceremony as ſhe had treated the commiſſioners ſent out in 1778. The great aim of the bill was to do ſomething certain, to convince America

of

of our ſincerity, and to put it on her to claim the benefit of it, by giving her a right to claim it whenever ſhe concluded a conciliatory agreement with his Majeſty; the title of it was,

"A bill for quieting the troubles that have for ſome time ſubſiſted between Great Britain and America, and enabling his Majeſty to ſend out commiſſioners, with full power to treat with America for that purpoſe."

In candour, he ſaid, he would read the bill he intended to bring in, (if leave ſhould be given him by the Houſe,) from which they would be better able to ſee at one view what his intention was, than they could learn it from all he had been ſaying. He then read the bill. In the preamble, it reminded America of the nature of her alliances, by mentioning deſpotic and popiſh powers. It then proceeded to enact, that the tea act, the Boſton port act, the tonnage act, the intercourſe act, and every other act America had complained of, ſhould be repealed, and trial by jury, the poſt office, the admiralty courts, &c. reſtored, from the moment that America claimed ſuch a benefit, on the concluſion of a treaty of peace and conciliation with his Majeſty; and it authorized his Majeſty to ſend out commiſſioners, with full powers to treat with the colonies.

Having read it, the General ſaid he was neither ſo mad nor ſo obſtinate as to be attached to the wording of the preamble, or of the reſt of the bill, or to any part of it, as to refuſe to give way to better words or wiſer clauſes, ſhould the Houſe propoſe either the one or the other; he only begged them to receive it, to alter it, add to it, diminiſh it; new mould it, take the bad out of it, and keep only what was good in it; in ſhort to do with it juſt what they pleaſed, provided they agreed to ſomething upon the ſame principle. His objects were to reunite the two countries, and by rejoining the diſtracted parts of the empire, to add again to the ſtrength of the whole, to aſſiſt our trade by reviving commerce with America, to enable us to carry on a vigorous and ſucceſsful war againſt France and Spain, our natural enemies; in a word, to reſtore happineſs at home, and procure us glory abroad. This great end he thought might be attained, by ſomething like the bill he had propoſed, and therefore he threw it upon the Houſe, to act juſt as they ſhould think proper reſpecting it.

Lord *Nugent* roſe and declared, that from what the right honourable gentleman had ſaid of his bill, in the latter part of his ſpeech, he would ſecond his motion. He approved highly of the principle of the bill, though he did not like all it contained. As the right honourable gentleman therefore,

had ſaid he gave the bill to the Houſe to mould and ſhape it as they pleaſed, he was ready to accept it on thoſe terms. His Lordſhip then made a looſe ſpeech on the ſtate of our affairs, not only as they regarded America, but as they referred to the temper of the European powers. He painted our ſituation as alarming, and ſaid peace with America was certainly a very deſirable object. It was true we were without an ally, nay, what was worſe, there was an armed neutrality in Europe, thoſe who refuſed to aſſiſt us, arming themſelves very powerfully to defend that neutrality, which contrary to treaties, they inſiſted on maintaining.

The ſtate of affairs, he remarked, had altered very conſiderably within the laſt twenty years. The King of Pruſſia had effected this change, and the Houſe of Auſtria had as much occaſion to be jealous of the King of Pruſſia now, as it formerly had occaſion to be jealous of the King of France. He ſaid further, if the Princes of Europe, who ought to aſſiſt us, ſtood by and ſaw us overwhelmed, they not only were not honeſt men, but they loſt ſight of their own intereſt; for if they ſuffered the Houſe of Bourbon to become the great maritime power of Europe, every other European power muſt fall. His Lordſhip accounted for their conduct, by ſaying, that in the purſuit of temporary objects, they gave up the proſpect of their beſt and chief intereſts, and loſt ſight of all thoſe great conſiderations of the future, which wiſe men never forgot. He declared he was glad to ſee the bill ſtop where it did, and leave the reſt to be done by the King and his adviſers. His Lordſhip ſpoke to ſeveral other points.

Mr. *Eden* wiſhed he could have caught the Speaker's eye before, as what he had to ſay would have come better immediately after the honourable gentleman had made his motion. He then began, by ſaying, that if it were, as the honourable gentleman had ſaid, a moment of univerſal gloom overſpreading our political hemiſphere, it was certain that ſuch a moment was well calculated for gaining the ſerious regard of all good men to the propoſitions now introduced—A bill for quieting troubles; a ſupplement to what the honourable gentleman had called, the want of alliances and of friends; "the reſtoration of the ſtricken deer to the herd; the turning of the dance of death" into the muſic of the ſpheres; the re-union of warring brethren, and of the diſtracted parts of our ſtrength; revived commerce with our colonies; ſucceſsful war with France and Spain; happineſs

at

at home; glory abroad; all theſe were ideas which muſt vibrate on the heartſtrings of every good Engliſhman. But in the philanthropy of our ſentiment, in the reveries of our fancy, we ought not to loſe ſight of common prudence and practical policy. The warmth of our imagination might indeed carry us through the meaſure of the day; but the morrow muſt come, and the cool hour of recollection would attend it. In that hour we ſhould have to aſk ourſelves, whether by an unadviſed eagerneſs, we had not in the reſult produced that deſirable end of peace and re-union, which, on both ſides of the Houſe, it was wiſhed to approximate. Mr. Eden compared the preſent purſuit of peace, to that of Apollo in purſuit of Daphne; the object purſued, might indeed turn into laurel, wherever he could catch her; but he feared, that the honourable gentleman's running after her at preſent, would tend only to drive her to a diſtance, and in the reſult, that he would loſe both the lady and the laurel.

His great object, he ſaid, was to deprecate the whole diſcuſſion of the ſubject; the introduction of the propoſitions was well meant, but it tended to do miſchief. This was not a moment to ſay, what Parliament would give, or would not give: Parliament was not aſked to give any thing: Every gratuitous offer would be received as an admiſſion of weakneſs, and not as the reſult of the generous ſpirit which dictated to offer; every point omitted to be offered, would from that hour be conſidered as of importance, and would become a *ſine quâ non*.—The diſcuſſion might prove an uſeful weapon in the hands of the rebel leaders, it would be an uſeleſs inſtrument to the well diſpoſed ſubjects. The generous inclinations and affections of Great Britain were now ſufficiently known to all the world. The colonies were now in the very moment of recollection; the "balance of deſperate rebellion and returning loyalty, is now, he ſaid, equally poiſed; it trembles on its center; at ſuch a moment, manly confidence, wiſdom, moderation, and the avoiding of untoward events, might decide in our favour; but precipitation in our councils, ſuperfluous diſcuſſions, domeſtic diviſions, unadviſed and premature overtures, might turn the beam for ever againſt us." He once more deprecated the diſcuſſion; he wiſhed to diſmiſs the buſineſs with all poſſible reſpect to its mover, and therefore moved the order of the day.

Lord *George Gordon* roſe to ſecond the order of the day, and ſaid he diſliked the preſent bill for an oppoſite reaſon from that which the honourable General had ſtated. He diſliked it becauſe it was not contentious. He then proceeded to comment upon the minutes which he had taken down of many parts of General Conway's ſpeech, anſwering each poſition, and endeavouring to controvert it. He ridiculed the idea of ſending commiſſioners to America, unleſs they were empowered to admit the independence of the Thirteen States in the firſt inſtance, and ſaid, that if they were ſent without being ſo empowered, they would go on a fool's errand, and be laughed at for their pains, as the honourable gentleman who had diſplayed his poetical fancy juſt now, and his colleagues, were in 1778. He contended, that America had no idea of independency 'till we forced her to adopt it, and ſaid he lived in that country from 1766 to 1769, and was treated with the utmoſt hoſpitality and reſpect by them, they conſidering him as a young nobleman, a little midſhipman, and ſhewing him every poſſible inſtance of regard, as a youth of rank from England, who might one day be ſent out to them as one of their governors, receiving him into their houſes, and ſending him in a coach and four all the way from New York to Boſton, and offering him money if he had choſen to take it. He ſaid he had been in the houſes of all the principal people in every one of the thirteen provinces, and had always remarked the moſt ſtriking marks of affection, loyalty, and regard for this country. As an inſtance of it, he declared the firſt toaſt after dinner always was, "The king;" and the ſecond, "The army and navy;" that he could take his oath of this, and therefore thoſe who had pretended that independence was their object from the beginning, had deceived Parliament. Having gone through General Conway's ſpeech, he took Lord Nugent's into conſideration, and began by ridiculing the noble Lord for ſeconding the motion, after all his ſpeeches formerly againſt America; "a fine motion truly (ſaid he) and ſeconded by Lord Nugent, with ſome embarraſſment." [This ſet the Houſe in a roar] He then went through his commentary on his Lordſhip's ſpeech, and before he ſat down, ſerved Mr. Eden's in the ſame manner.

Mr. *Cruger* contended that the bill by no means went far enough, that it would do no good in America, and would be of no more uſe than a piece of waſte paper. He ſaid, the American

American war, the real ſource of all our diſtreſſes and burthens, ſhould be put an end to at all events; in order to do this, the independency muſt be allowed, and the thirteen provinces treated as free ſtates. He made ſome remarks on Lord Nugent's argument, and aſſerted that he had ſeen ſome letters written by that noble Lord a few years ſince, in which he talked in a very different ſtile, and declared that we muſt have a revenue from America. Before he concluded, Mr. Cruger ſaid, he would not oppoſe the bill, or vote againſt it, becauſe the idea it was founded on, was an intention to open the door to a re-union with America, an object ſo much to be deſired, that he had uniformly voted in favour of every propoſition of that tendency, though he had been much blamed for voting for Lord North's conciliatory bill. He ſhould purſue the ſame line nevertheleſs, and ſince perſons without doors could not be in his boſom and know what paſſed there, he ſhould be ſatisfied with what he felt within him, and go on regardleſs of cenſure.

Mr. *T. Pitt* reprobated the bill, as drawing a line much ſhort of what America would expect, and without granting, of which, all treaty would be vain.

General *Conway* roſe to explain, and ſaid, he did not mean that nothing more ſhould be done than his bill laid down, and ſo far was he from deſigning to draw a line by it, that it by no means drew a line, but left room for any thing more to be done that was neceſſary. It only held out ſomething certain to America, and opened the way to conciliation.

Mr. *Pitt* ſaid, he was perfectly aware of the worthy General's intention and of his view; but he contended that the bill would nevertheleſs have the effect in the eyes of America of drawing a line, as if Great Britain would go no further.

He then proceeded in an admirable ſpeech, to point out the futility and the danger of any ſuch meaſure, and earneſtly cautioned the Houſe againſt adopting ſo fatal a propoſition, admitting, at the ſame time, that the worthy General meant it well, and therefore deſerved the thanks of the Houſe for his conduct. He ſaid, he would tell miniſtry what was the proper ſtep to be taken reſpecting America,——give her a pledge of the ſincerity of this kingdom's wiſh to be reconciled! change the adminiſtration! and remove thoſe miniſters who had deluded America, and deceived Parliament. He in expreſs terms charged the late commiſſion with being a deception, and ſaid he was divided in opinion which to blame, the noble

noble Lord who was ambaſſador at Paris at the time the treaty with America was ſigned, or the noble Lord in the blue ribbon. When he conſidered that an honourable friend of his [Mr. Fox] had aſſured that Houſe long before the French reſcript was delivered to Lord Weymouth, that a treaty was actually ſigned between the court of France and America, he could not think the noble Viſcount had been guilty of ſuch extreme criminal neglect, as not to have ſent notice of it to miniſters at home, and when he reflected on the high ſtation the noble Viſcount now held, that he was one of the firſt officers of the crown, in the very boſom of the King's councils, he was convinced, the noble Viſcount had done his duty and given notice of the treaty in due time. On the other hand, when he conſidered the degree of guilt that would be imputable to the noble Lord, could it be proved that he was aware of the treaty being ſigned, and of the terms of it: when he came down to that Houſe and made his conciliatory propoſitions, he knew not how to ſuſpect the noble Lord, nor what to think. He ſurely never could have preſumed to offer America ſo little, when he knew France offered her ſo much more. That there was a degree of culpable folly in it, which he could not bring himſelf to believe the noble Lord guilty of; he was therefore puzzled, and knew not how to ſolve the enigma. Before he ſat down, he repeated his declaration, that no good could be expected, unleſs thoſe miniſters who had made themſelves ſo obnoxious to America that ſhe would not treat with them, were diſmiſſed, and again condemned the bill, as likely to produce great miſchief.

Mr. *Powys* made a ſhort ſpeech, but did not approve the bill. In the courſe of what he ſaid, he was ſevere on Lord Nugent, imagining that he had ſaid, the prerogative had powers of legiſlation, equal to the granting America independence, without the authority of that Houſe.

Lord *Nugent* explained.

General *Conway* roſe alſo to explain, and flew into a vehement paſſion, on its being ſaid that an idea ſimilar to that charged againſt Lord Nugent was defenſible, declaring he wiſhed any miniſter could dare to hold ſuch doctrine.

Lord *George Germaine* roſe on this, and ſaid if any miniſter was mad and wicked enough to adviſe his Majeſty, that his prerogative extended to the degree ſpoken of, he hoped to God, that Miniſter would meet the juſt reſentment and indignation of the Houſe, and be purſued to condign puniſhment. His Lordſhip then ſaid he approved the title of the bill ſo highly, that he ſcarcely knew how to oppoſe a bill ſo entitled.

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If the diſmiſſion of miniſters could produce peace, he ſaid it ought not to be the conſideration of a moment; miniſters ought to be inſtantly diſmiſſed. But before that ſtep was taken, it behoved the adviſers of it to prove that thoſe who would ſucceed the preſent miniſters were more likely to make peace with America. Every good man, he ſaid, muſt wiſh for peace with America, whenever it could be obtained on good and honourable terms to this country. It was the chief wiſh of his heart, and he flattered himſelf the completion of that wiſh was not far off. The bill, he could not by any means approve; as the honourable gentleman who moved the order of the day had ſaid, it ſeemed more likely to put peace at a diſtance, perhaps to prevent it for ever, than to bring it nearer. He declared he verily believed, and his belief was not like the view of the bill, merely ſpeculative, but was founded on recent information, that the moment of conciliation was near. His Lordſhip deſcribed the miſery which the Americans felt at this time, and ſtated, that the majority of the people there, were ready and deſirous to return to their allegiance, but that they were prevented by the tyranny of thoſe who had got the power of government into their hands.

He did not believe that the Congreſs would ever treat for peace, but from the condition of affairs in America, as ſtated by the right honourable gentleman who had moved to bring in a bill. From the depreciation of their paper currency, from the poverty and diſtreſs of the country, from the great debt it groaned under, from the diſſatisfaction which all ranks of people expreſſed at the alliance with France, from the little benefit America had derived from that alliance, from all theſe conſiderations he did believe that the people of America, the aſſemblies of America, would ſoon come to terms. His Lordſhip ſaid, that America was not up at auction, as it were, between the Mother Country, and France, and Spain, that we were to bid for her againſt them. The caſe was widely different. His Lordſhip concluded with ſeconding the motion for the order of the day.

Mr. *Fox* in a ſpeech of ſome length, but delivered with wonderful ability, though it had much repetition, and old matter in it, replied to Lord George Germaine, and ridiculed his argument, and every poſition he had laid down. Mr. Fox alſo attacked the Attorney General, though abſent, on his being about to receive emoluments and rewards, for what he termed thoſe inflammatory ſpeeches that had cauſed the loſs of America. He might, he thought, have come, and taken his leave of that Houſe; he might have ſaid *valete et plaudite* before

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he was called to the upper region. Mr. Fox did not like the idea of ſending out commiſſioners, but declared as that might be altered hereafter, he would vote for the bill.

Lord *North* replied, and defended the Attorney General from Mr. Fox's attack. His Lordſhip diſliked the bill, and ſhewed that various of the acts it tended to repeal, were already repealed.

Governor *Pownall* ſaid he had not meant to ſpeak on this occaſion, and that when he heard the propoſitions read, he had determined to be ſilent: but having been called upon from different ſides of the Houſe, he did not think it proper that he, upon this ſubject, ſhould ſuppreſs his ſentiments. That believing as he did, as a matter of fact, not entering into any queſtion of right that America was an independent ſovereign power, and would remain ſo and be maintained and ſupported as ſuch by other powers; the propoſing to repeal any laws of ours which had reſpect to America, appeared to him like a propoſition for repealing the laws which ſtood in our ſtatute-book reſpecting Gaſcony and Poictou. There was an act of navigation reſpecting Gaſcony: Would any one now ſeriouſly propoſe the repeal of that? But he ſaid it conſiſted of two other parts, one declaratory, which he ſhould conſider, if the bill paſſed, as a preliminary of treaty, and as ſuch he ſhould be for it. The other part, reſpecting the ſending out commiſſioners to treat for peace, would be of no avail, would only expoſe, and ſtill more humiliate the country, and would begin as the former miſſion did, in mockery, and end as that did, in diſgrace. The noble Lord knew, that even before his Lordſhip had planned his ſcheme of commiſſioners, he had told him that would be the conſequence. He ſaid, therefore, as the ground of his own idea of the ſtate of America on his own information, he muſt think this bill could have no effect. That he rather wiſhed it had not been diſcuſſed; but that it would be dangerous to reject it. Whatever therefore were the opinions of its effects, he ſhould ſimply, as an experiment, have voted for it as he did for the noble Lord's bill for commiſſioners, although he had at the ſame time ſaid to a noble Lord, and in the Houſe, that the meaſures could not ſucceed. Another reaſon weighed with him, which was, that as we had loſt ſo many opportunities when we might have made peace, and had ſo often and repeatedly miſtaken our taking up in the year 1775, that which in the year 1774 would have made peace; that in 1776, which would have made peace in 1775; that in 1778, which in 1777 might have been grounds of peace; and very lately miſſing the opportunity which offered itſelf

itſelf to us of making peace, by the intervention and under the guaranty of Spain, who could have effected it for us, as the Americans would have truſted that guaranty, on terms wherein they would not treat with our miniſters, nor have truſted them, Spain could have got their preliminaries, and they then might have taken up the definitive treaty.

He ſaid, that two noble Lords, both miniſters, ſpeaking from certain and official information, had given him ground, whereon ſtanding by their authority, he muſt now be decidedly for the propoſitions of the bill [the commiſſioners excepted.] They told the Houſe, that the Americans were coming back to thoſe ſentiments towards this country, that they would come to treaty as coloniſts, and on terms ſubmitting to our government. That being the fact, theſe acts and laws which attached upon the Americans as ſubjects to this country, ſhould be repealed, to clear the way to the grounds of peace. It was now, upon that ſtate of the caſe, become abſolutely neceſſary; and he begged to remind the honourable General that there was one he had forgotten, that is the declaratory act; he turned then about to the General, and ſaid, "I hope it is meant to repeal that act," and turning to the Houſe, ſaid, "I find it is ſo meant." Upon theſe grounds, and acting on theſe reaſons, he ſhould give his vote for the bill, but hoped to ſee the clauſe about commiſſioners taken out, and ſeveral other amendments made in the committee.

Mr. *G. Rous.* A law is propoſed, giving authority to the crown to conclude finally with America, meaning on the terms of yielding their independence. If it be a mere delegation of a general power, leaving to the diſcretion of miniſters to determine when or whether it is ever to be employed, ſuch a law certainly admits that the Crown ought to have this general unreſtrained power—If it be intended as an intimation, that the time may probably ſoon arrive, when the exerciſe of this power will be proper, ſuch a law may not only forward the event, but certainly leſſens the reſponſibility of miniſters. If, laſtly, it be intended to preſcribe the immediate exerciſe of this power, ſuch a law will be a plain aſſumption of the executive authority by the legiſlature, an union of powers which ought ever to be diſtinct, and will exempt miniſters from all future examination of their conduct, by giving the previous ſanction of parliament to their act; for it were idle to ſuppoſe the Parliament could exerciſe a correct judgment on the ſubject. To form an opinion on the propriety of yielding independence to America, requires an accurate knowledge of the ſtate of that country, of the temper of the people, of the reſources of their government, of our own force,

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its deſtination and probable ſucceſs—laſtly, it requires a perfect knowledge of the force and reſources of our enemies, of the views and engagements of the other ſtates of Europe. Whence could this knowledge be derived, but from the executive magiſtrate, who has all the means of information in his hands? With his miniſters, all ambaſſadors, and all other perſons in a public employ, correſpond. To him is confided the ſecret ſervice money, with every other means of procuring intelligence. His miniſters would, therefore, in effect, dictate the judgment of Parliament, yet would an act thus procured operate as an act of indemnity to miniſters. Let us not be wiſer than our anceſtors. Let us permit the executive power to proceed within its proper department, where the abuſe of truſt is not palpable and clear; and when time ſhall diſcloſe all the circumſtances under which miniſters ſhall have acted, at preſent known only to themſelves, let us judge their conduct with temper, and acquit or condemn, as their merits or demerits may require. The law propoſed, in the firſt view, preſumes a defect in the conſtitution, which I cannot admit; and in the latter view will operate as an indemnity to miniſters, pernicious in its immediate effect, much more ſo in its example.

The queſtion has been propoſed, do you contend that the crown can give independence to Ireland, or yield Scotland to a foreign ſtate? Were I diſpoſed to employ the ſame fallacy, I would aſk, can Parliament repeal the habeas corpus act, aboliſh the trial by jury, or give the force of laws to the proclamations of the crown? All government is a truſt. Plain and palpable abuſes require extraordinary interpoſition. Should Parliament forget its duty, the people; ſhould the crown betray its truſt, Parliament muſt interpoſe—not, I hope, to confound the different orders of the ſtate, but to place the truſt in more honeſt hands. In the preſent inſtance, either a ceſſion of territory as the means of peace is neceſſary, or it is not. In doubtful caſes it is ſcarcely poſſible that Parliament ſhould antecedently poſſeſs the information, without which they cannot decide. The delays of their proceeding, and the public diſcuſſion of the information neceſſary, if ſuch could be obtained, would deſtroy all the advantages which this country poſſeſſes, by placing the executive power in the crown. If the ceſſion be obviouſly unneceſſary, the breach of truſt is apparent—Parliament will interpoſe, by addreſſing the crown to remove the miniſters, to break the convention, which, derived from fraud, would not bind the nation; would puniſh the miniſters, or in caſes of urgent neceſſity,

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where obſtinate perſeverance involved the ruin of the country, perhaps remove the ſovereign and his family from the throne. Writers on the laws of nations have diſplayed great acuteneſs in diſcuſſing caſes in which the nation at large, or the inhabitants of a ceded territory may reſiſt the ſovereign. Their principles apply equally, whether the people themſelves or their repreſentatives commence the reſiſtance. I am not, however, reaſoning on extraordinary caſes; I reaſon, to uſe Sir William Blackſtone's expreſſion, "according to the forms of the conſtitution."—Neither is the diſtinction worth much contention. Prevention would in moſt caſes be impoſſible. The commander of a garriſon may yield a fortreſs, and may deſerve death for his conduct; yet to regain the fortreſs would be difficult. Should the crown at this time withdraw the garriſons of Fort St. Philip and Gibraltar, the breach of truſt would be groſs, yet moſt men in the preſent ſituation of affairs would deſpair of regaining the poſſeſſion. Should the crown recall the fleets and armies of Great Britain from America, is there a man wild enough to re-commence the war from the hope of conqueſt? The truth is, that where the deciſion is referred to arms, he who has the direction of the national force always muſt have it in his power to betray the rights of the community. Fortunately, where the breach of truſt is moſt eaſy, the temptation is leaſt. All the affections of the ſovereign, the love of glory, of power, and of dominion, all the paſſions which govern men occupied in conducting the affairs of nations, war againſt the ceſſion of a country which the force of the ſtate can poſſibly retain. The probability is greater, that Britain will be exhauſted in a vain and fruitleſs ſtruggle for dominion which ſhe cannot uphold, than that the conteſt ſhould ceaſe before the intereſts of Great Britain demand a ceſſation of hoſtilities; or that the inclination of the ſovereign to a diſgraceful peace ſhould precede the neceſſities of the ſtate. The power of declaring war is a more dangerous truſt, more liable to abuſe: yet this truſt is abſolute in the ſovereign. When the reſolution is taken, the ambaſſador recalled, and war in effect commenced, meſſages are indeed ſent to both Houſes of Parliament, and general aſſurances of ſupport returned in their addreſſes. Why? becauſe the power of the purſe, the grant of men, money, and ſhips, depend on the pleaſure of Parliament. This power operates in ſome degree as an antecedent reſtraint, but is not wholly effectual as a preventive. The war is in effect commenced, and defenſive warfare at leaſt becomes neceſſary to the public ſafety. Every man who has read our hiſtory, knows, that

that even this power of Parliament was principally inſiſted upon with a view to a very different object, as a reſtraint in the internal government of the country. Could the ſovereign raiſe money without the conſent of Parliament, Parliaments were unneceſſary; could the Sovereign levy troops without the conſent of Parliament, he might by force overturn the laws. Theſe grants of men and money are therefore made only for a year; nay, the military laws by which the troops are governed continued for no longer ſpace, that without the concurrence of Parliament by a new grant, by a renewal of thoſe laws, the whole force entruſted to the ſovereign may be actually diſſolved. This reſtraint, though principally directed to the internal government, operates likewiſe as a conſiderable, but a very inadequate controul to the power of declaring war againſt foreign ſtates.

Many gentlemen have been miſled by the acts of Parliament neceſſary in the conduct of this war. While the war is carried on againſt revolted ſubjects, not acknowledged as independent ſtates by the proper authority [wherever that authority is veſted,] every American taken in war had a right by the laws of this country to be tried as a rebel, or to be releaſed; every man had a right to reclaim his property, who had not forfeited that property by conviction. The interpoſition of the legiſlature, therefore, became neceſſary, but this neceſſity was derived from the forms of our internal government. From the ſame cauſe proceeded the act of Parliament authoriſing commiſſioners to treat with America. The object of this miſſion was to ſettle the terms on which the Americans ſhould ſubmit to be ſubjects of Great Britain. Their claims were various exemptions from the legiſlative power of Parliament. Parliament neceſſarily, therefore, became a contracting party, becauſe the crown could not impoſe limitations on the power of Parliament. This caſe was likewiſe new. Limitations impoſed on the ſupreme legiſlature, by ſtipulations with ſubjects, have no precedents in our hiſtory. The thing itſelf became neceſſary, and the forms of our government decided by whom the act muſt be done. But it may be ſaid, acts of Parliament have been made reſpecting America. Can the crown repeal them? Acts of Parliament have alſo been made reſpecting Grenada, St. Vincent's, &c. yet let theſe iſlands be ceded in a treaty with France made by the crown, theſe acts muſt fall, becauſe the ſubject of legiſlation will no longer exiſt. The reaſoning applies equally to America, when a ceſſion of America ſhall be made by the proper authority. I think, from the analogy of our government,

that authority reſides in the crown. The ſovereign cannot by any ſtipulations vary the rule of internal government, becauſe he is a monarch limited by laws, or by rules of conduct preſcribed by the legiſlature. The external power [where the internal government is not affected] ſeems to me incapable of ſuch previous laws; in fact, none are given. This, therefore, in the language of Mr. Locke, is "a diſcretionary power of acting for the public good where the poſitive laws are ſilent;" for the abuſe of which, if not directed to the public good, miniſters are reſponſible. The acts of this power are in their nature momentary, for the moſt part incapable of recall, always dependent on circumſtances known at the time only to thoſe entruſted with the other parts of executive government. To transfer this power to Parliament, to make the treaty their act, can anſwer no good purpoſe, will operate as an indemnity to miniſters, and remove the ſingle conſtitutional controul of which the ſubject is capable—the puniſhment of thoſe who abuſe it.

At a quarter paſt twelve the queſtion for the order of the day was put.

Ayes 123. Noes 81. Adjourned to the 8th.

The following is a Copy of General Conway's bill, "for quieting the troubles now reigning in the Britiſh Colonies in America, and for enabling his Majeſty to appoint commiſſioners, with full powers to treat and conclude upon terms of conciliation with the ſaid Colonies."

WHEREAS a ruinous and unnatural war has for ſome years raged between Great Britain and the ſeveral Britiſh colonies in America, deſtructive at once of that harmony and mutual affection which had ſo long made the happineſs and ſtrength of both countries, and thereby giving every advantage to the known enemies of the Britiſh empire in all its parts; the firſt union of which had, by their cordial and effectual efforts, raiſed the name of Britain to the higheſt pitch of human renown and felicity, and had, during the courſe of many glorious reigns, ſerved as a barrier to the liberties of Europe, and as the ſtrongeſt ſupport of the Proteſtant religion, againſt the baneful ſchemes of Popery and deſpotiſm:

And whereas, in the heat of a contention, haſtily begun, many pernicious maxims have been adopted, and many falſe and dangerous meaſures purſued on both ſides:

Now, in order to heal the ſaid fatal diſſentions, and to ſtop the farther effuſion of fellow ſubjects' blood;

Be it hereby declared and enacted, by the King's moſt excellent Majeſty, by and with the advice and conſent of the Lords ſpiritual, temporal, &c.

That immediately upon the concluſion of any treaty of conciliation between Great-Britain and America, all thoſe rights, privileges, and immunities, which were demanded by the ſeveral aſſociated Colonies in their petitions and memorials to the King, and to the two Houſes of Parliament [and particularly in the petition of the Congreſs to the King, in the memorial of the Colony of New-York, to the Houſe of Lords, of the 25th of March, 1775, and in the repreſentation and remonſtrance of the general aſſembly of the ſaid colony of New York, to the Houſe of Commons of the ſame date] ought to be, and are hereby declared, by the King's moſt excellent Majeſty, by and with the advice and conſent of the Lords ſpiritual, temporal, &c. to be conceded and confirmed on the part of Great-Britain to the ſeveral aſſociated Colonies, or to any one or more of them, who ſhall agree on terms of reconciliation as aforeſaid, with any commiſſioners appointed, or to be appointed by his Majeſty for that purpoſe.

And for theſe ends, and that no doubt may remain of the ſincere and friendly intentions of Great-Britain, and of her earneſt deſire to bring back the ancient affection of her children, and to reſtore that beneficial intercourſe which muſt ever be the true baſis of their grandeur and happineſs:

Be it hereby declared and enacted by the authority aforeſaid, that from the day ſuch conciliation or treaty ſhall be concluded, all or any of the thirteen aſſociated colonies, ſo agreeing on terms of conciliation, ſhall be, and are hereby declared to be, at the peace of his Majeſty, and reſtored to the uſual intercourſe of friendſhip and commerce.—And it is hereby further declared and enacted,

That no tallage, tax, or other charge whatever, ſhall from thenceforth be raiſed on the freemen of America, without their own conſent, by their repreſentatives duly convened in aſſembly there.

That the powers of the admiralty and vice-admiralty courts be reſtrained within their ancient limits, and the trial by jury in all civil caſes, where the ſame may have been aboliſhed, reſtored.

That no ſubject in America ſhall, in capital caſes, be liable to be indicted and tried for the ſame, in any place out of the province where ſuch crime ſhall have been committed, nor be deprived of a trial by his Peers of the vicinage.

That it ſhall not be lawful to ſend perſons indicted for murder, in any colony of America, to another colony, or to Great Britain for trial.

That

That the judges in the law courts in the Colonies, ſhall hold their offices and ſalaries as his Majeſty's judges in England, *Quandiu ſe bene geſſerint.*

That the Colonies in America are juſtly entitled to all the privileges, franchiſes, and immunities, granted by their ſeveral charters and conſtitutions, and that the ſaid charters or conſtitutions ought not to be invaded or reſumed, unleſs for miſuſes, or ſome legal ground of forfeiture.

And for the ſaid and other good and beneficial purpoſes, it is hereby declared and enacted, That the following acts, or ſo much of the ſame as have been repreſented to be found grievous to the ſubjects in the colonies as aforeſaid, namely, the acts of 4 Geo. III. ch. 15. entitled, an act for granting certain duties in the Britiſh colonies and plantations in America. 4 Geo. III. ch. 34. To prevent paper bills of credit hereafter to be iſſued in any of his Majeſty's colonies and plantations in America, from being declared to be a legal tender, &c. 3 Geo. III. ch. 25. act to alter certain rates of poſtage, and to amend, explain, and enlarge ſeveral proviſions made in the 9th year of Queen Anne, &c. 6 Geo. III. ch. 52. For repealing certain duties in the Britiſh colonies and plantations. 14 Geo. III, ch. 54. For better providing ſuitable quarters for officers and ſoldiers in his Majeſty's ſervice in North America. Act 17 Geo. III. ch. 5. For prohibiting all trade and intercourſe, &c.* and to authoriſe perſons appointed by his Majeſty to grant pardons, &c. or ſuch parts of the ſame as are found grievous to any of the ſaid colonies;

Be and are hereby repealed from the day they ſhall have entered into, and concluded terms of conciliation with Great Britain, or with any perſons authorized by his Majeſty for that purpoſe.

The ſaid acts alſo to be ſuſpended and remain without effect in like manner, ſhould any truce take place for a limited time between Great Britain and all or any of the ſaid Colonies reſpectively, during the continuance of ſuch truce.

And be it farther declared, that the act of 14 Geo. III. ch. 83. For regulating the government of the province of Quebec, ſhall be re-conſidered, altered, or repealed.

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* Before the bill was brought in, the General meant to inſert the declaratory act of 1776, among the acts to be repealed, and indeed to make the whole bill more correct. The Houſe refuſed to receive this bill, by dividing upon the order of the day, after a debate which laſted 'till twelve o'clock.

And that no future doubt or jealouſy may remain relative to the rights of the Colonies, and the power of their aſſemblies lawfully conſtituted, be it declared by the authority aforeſaid, that the ſaid Colonies, in their ſaid aſſemblies, ſhall, agreeably to the ſaid charters and conſtitutions, have full power and authority to regulate all matters for the peace and good order of their internal government; the legiſlature of Great Britain reſerving only to itſelf the ordering and enacting ſuch things as concern, as well the maintenance of the ſaid charters and conſtitutions, as the general weal of the empire, and the due regulation of the trade and commerce thereof, upon thoſe principles of equity and ſound policy which ſhall, on full mutual diſcuſſion and conſideration, be found moſt conducive to the general good.

And that nothing may obſtruct or retard the great work of peace, his Majeſty is hereby authoriſed to appoint commiſſioners, with full powers to treat and conclude either peace or truce with all, or any of the ſaid colonies, upon ſuch other or farther terms of conciliation, as to his Majeſty in his wiſdom ſhall ſeem fit; always underſtood, and the ſame is hereby again declared and enacted, that all the ſeveral privileges, immunities, and advantages, hereby granted to all or any of the ſaid Colonies as above mentioned, do ſerve as the baſis of ſuch treaty of conciliation, and are hereby ſanctified and guaranted under the faith of Parliament as parts of the ſame.

And be it farther declared and enacted, by the authority aforeſaid, that it ſhall and may be lawful for his Majeſty to empower commiſſioners to grant free pardon to any perſon or any number or deſcription of perſons, or his full and general pardon to the inhabitants of all or any of the ſaid Colonies reſpectively, for all acts of hoſtility, and for all things done or committed during the preſent troubles, and previous to the ſigning or concluſion of any treaty of conciliation as aforeſaid; and the ſame ſhall be conſidered, and is hereby confirmed as an act of perpetual amneſty and oblivion of ſuch acts of hoſtility, and of all things ſo done and committed during the continuance of the ſaid troubles.

So may the ancient affection be happily reſtored to the two parts of the diſtracted empire, and a new æra of Halcyon days ſucceed to the horrors and multiplied calamities of civil contention.

May 8.

As ſoon as the Speaker returned from the Houſe of Lords, *Sir William Meredith* roſe, and ſaid, he had ſome time ſince *ſtated to the* Houſe, ſome extraordinary facts, relative to a

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party of the military being armed and ready to come forth upon the people; when he ſtated them, he had taken them up upon newſpaper report, he had ſince made himſelf maſter of the facts as they really happened, and was able to ſpeak to them more fully; but as he did not ſee certain perſons in high military offices, then in the Houſe, he would not take up more time, but would content himſelf with moving;

"That the proper officer do lay before this Houſe, a copy of any requiſitions made by the civil magiſtrates, and by whom, for any of the foot or horſe guards, to be in readineſs from the 5th to the 7th of April laſt."

Mr. *Adam* ſubmitted it to the honourable Baronet, whether it would not be more candid to withdraw his motion, till the honourable gentlemen alluded to, were preſent to ſpeak to the facts upon which the motion was avowedly grounded.

The *Secretary at War* declared he knew of no order being ſent for the military, for that no order had paſſed his office. He believed the civil magiſtrate expecting a riot, had made a requiſition to have ſome of the military ready to aſſiſt the civil power in caſe any riot had happened. That it was a common thing, and he ſaw no miſchief, as the military in ſuch caſes were ſolely at the command and direction of the civil magiſtrate.

Mr. *Burke* arraigned the juſtices in terms of the ſevereſt ſort, for daring to imagine or ſuggeſt that a riot would happen, when no riot was intended, and upon their weak and inſolent ſuggeſtions to call out the military. He ſaid the juſtices of Middleſex were generally the ſcum of the earth; carpenters, brick-makers, and ſhoe-makers; ſome of whom were notoriouſly men of ſuch infamous characters, that they were unworthy of any employ whatever; and others ſo ignorant, that they could ſcarcely write their own names. Mr. Burke deſcribed the popular meeting on the 6th of April, as a moſt reſpectable one, and ſaid the Dukes of Devonſhire and Portland, and other diſtinguiſhed perſonages, had there met the other electors of the city of Weſtminſter, in a legal and conſtitutional manner, to debate and diſcuſs great, legal, and conſtitutional points. How dared, then, ſuch reptiles as the Middleſex juſtices attempt to call out a body of the military armed, upon a peaceable meeting, ſo reſpectable in its deſcription!

Mr. *Rigby* defended the matter, and as an inſtance that the military ſo employed, and under the direction of a judicious

magiſtrate, might be eſſentially ſerviceable in preventing riots, declared, that ſome years ſince the Duke of Bedford's houſe would have been raſed to the ground, had not Mr. Saunders Welch applied for fifty of the infantry, and planted them behind the wall in the front of Bedford houſe. Mr. Rigby defended the Middleſex magiſtrates from Mr. Burke's cenſure, declaring that the office was a very troubleſome one; that no perſon of diſtinction or family would undertake it, and therefore it was right to give douceurs to thoſe who would. He ſaid gentlemen who abuſed the magiſtrates for doing their duty, were not friends to ſubordination and good order; that ſo far from thinking the magiſtrate blameable, he had often wondered that the police of this great metropolis was ſo well regulated as it was. Mr. Rigby ridiculed the meetings in general, declaring that a ſet of gentlemen meeting merely to make orations, and to vote thanks to one another, was a perfectly harmleſs matter.

Mr. *Burke* made a reply, charging Mr. Rigby with defending thoſe with whom he would not ſit down to dinner, to whom he would not ſpeak, nor ſuffer them to come into a room where he was.

Mr. *Eden* then ſaid, that he thought it ſuperfluous on this occaſion, to recur to any particulars, either of the old Bloomſbury riot, or the late Weſtminſter meeting; and equally ſo, to introduce the names either of dead or living Dukes. That the queſtion turned upon a general principle, in which he agreed with the ſupporters of the motion, though he ſhould differ with them as to the application of that principle. That he thought them right to entertain a moſt watchful jealouſy of the executive power in the employment of the ſoldiery; but that this jealouſy ſhould in politics, as in private life, be kept within reaſonable bounds, and ſhould not ſtart into action, upon the impulſe of trifles light as air. That a reſpectable and very ingenious Baronet, [Sir George Savile] had juſtly ſaid, "If I aſk for the key of my cloſet, and you faulter, and heſitate, and turn pale, and delay to produce the key, ſhall I not ſuſpect that ſomething is concealed within the cloſet?" It was the caſe of Bluebeard, in ſome nurſery reports; but in the preſent inſtance, it had not been ſtated, that there was any cloſet to conceal it, or any key to be called for: no caſe had been made for enquiry; no fact of abuſe of the executive power had been charged. It was not juſt then, to ſay that information was re*ſuſed; ſome* grounds muſt be ſhewn before information can

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be aſked. The right honourable Baronet had not laid his neſt-egg; he had only ſtated a looſe rumour from a newſpaper, and upon the credit of ſuch evidence called upon the Houſe to expreſs an uneaſineſs, which no man who heard him, in any degree felt; that nothing had been produced, either to prove the fact aſſerted, or the order which occaſioned that fact. Mr. Eden concluded, therefore, with giving his negative to the motion.

Mr. *Fox* made one of the moſt extraordinary ſpeeches ever heard in the Houſe of Commons, declaring if it was underſtood that a ſet of men were to be let looſe on the conſtitutional meetings of the people, that all who went to ſuch meetings muſt go armed.

The Houſe at length divided on the queſtion,

Ayes 91 Noes 133

As ſoon as the Houſe was reſumed,

Mr. Alderman *Sawbridge* roſe in his place, and in a ſpeech of ſome length introduced his annual motion, "for ſhortening the duration of Parliaments." The Alderman entered into a long deduction of hiſtorical facts, relative to the origin of Parliaments, the duration of them at different periods, the eſtabliſhment of triennial, and the laſt regulation effected by paſſing the bill for ſeptennial Parliaments into a law. He cited the hiſtory of the ſeveral reigns in which the parliamentary alterations had been introduced, ſtating the grounds and motives upon which the alterations were made, and accompanying theſe premiſes with a declaration what were the conſequences, and how far the purpoſes of the crown had been effected, and the liberties of the people invaded and diminiſhed by each alteration. The original uſe of Parliaments, he deſcribed to have been ſimply two-fold; to conſider of the peoples' grievances, and to endeavour to obtain redreſs for them; and to conſider of the wants of the ſtate; and after a careful examination that the wants were real, and the occaſion preſſing, to vote ſuch ſums as were neceſſary. The firſt of theſe objects Mr. Sawbridge declared always took the lead, nor would our anceſtors, in honeſt times, ever grant the crown money till the complaints of the people were liſtened to, and redreſs afforded. As all courts were diſinclined to hear of theſe complaints and grievances, ſo it had formerly happened, that Parliaments were ſeldom aſſembled, and never but when the wants of the ſtate were ſuch, that government could not proceed without money from the people. Mr. Sawbridge traced Parliaments to their being called annually, and then ſpoke of the Long Parliament, in

the time of Henry VIII. which had ſanctified all the monſtrous ſketches of prerogative that marked that reign; and of the Long Parliament in the reign of Charles II. At length he came to the triennial Parliaments, which had been introduced after the Revolution, in the reign of William III. and in part of that of Queen Anne, and ultimately arrived at the æra when the ſeptennial bill paſſed. From all theſe hiſtorical facts he argued, that by the conſtitution Parliaments ought to be called annually; that the triennial bill was an encroachment on the peoples' rights and liberties, and the ſeptennial a ſtill more unjuſt innovation on the part of the repreſentative body, who had by that law arrogantly aſſumed to themſelves a power which was conſtitutionally veſted in the hands of the people, and which of right belonged to them. He contended that the more frequently the power of election reverted to the people, the better would it be for the general intereſts of the nation; that if members were aware that their conſtituents would have a full opportunity of judging of their ſervices and pronouncing on their conduct, annually, thoſe ſervices and that conduct would be more guarded. The means of corruption would be checked within theſe walls, and the temptation to act diſhoneſtly being removed, the repreſentatives of the people would of neceſſity act diſintereſtedly and uprightly. For theſe reaſons, he wiſhed to return to the firſt parliamentary principles, and to paſs a law for Parliaments to be choſen annually: he was aware, however, that much objection would be made to any attempt of that kind, and, therefore, not becauſe he liked it better, but becauſe he thought he could not carry his point, if he aimed directly at reſtoring annual Parliaments, he ſhould try to obtain triennial Parliaments. After deſcanting on this for ſome time, and mentioning that the matter was at preſent much the topic of converſation without doors, he moved,

"That leave be given to bring in a bill for ſhortening the duration of Parliaments."

Mr. Alderman *Bull* ſeconded the motion.

Lord *Nugent* then roſe, and ſaid, as the ſame motion had been made for ſome years paſt, and had been ſilently decided upon, he hoped the Houſe would not go into a debate upon it then, becauſe as the honourable Alderman had ſtated, it had been much the ſubject of diſcuſſion elſewhere. With regard to going back to our firſt parliamentary principles, ſurely that matter was not ſufficiently conſidered. What? was it meant that Parliament ſhould be degraded to that ſtate

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in which it was, when the ſervice was ſo diſagreeable that men were obliged to be paid for ſitting and doing the public buſineſs? When that buſineſs was ſo unwelcome, that there were frequent inſtances of perſons begging to be diſfranchiſed, in order to prevent their being ſent up to Parliament! He could not believe the honourable Alderman meant to go that length. His Lordſhip owned himſelf an advocate for the ſeptennial bill, and declared he had the higheſt parliamentary authority that ever was, for pronouncing triennial Parliaments in a great meaſure uſeleſs, and extremely unlikely to anſwer the end propoſed, viz. the checking that influence of the crown, which had been ſaid to be "increaſed, increaſing, and that it ought to be diminiſhed." The authority he alluded to, was that of one of the ableſt men that ever filled the chair of that Houſe, Mr. Arthur Onſlow! He had talked with Mr. Onſlow on the ſubject of triennial parliaments ſome years ago, and that great man had told him, the propoſition was an abſurd one, becauſe if it were adopted, the firſt year would be taken up wholly in hearing petitions on elections; in the ſecond year the Houſe would be able to do buſineſs; and in the third, the members would principally be engaged with ſoliciting votes, and making intereſt againſt the next election. Annual Parliaments he objected to, as totally impracticable in the preſent ſtate of public affairs.

His Lordſhip obſerved, that the preſent motion was not grounded on the petitions of the people, for there was not one word about ſhort Parliaments in thoſe petitions. Much had been ſaid, indeed, without doors, about annual Parliaments, and about adding one hundred Knights of the ſhire to the repreſentation of the people in that Houſe. Before, however, either of thoſe points were accompliſhed, a great deal muſt neceſſarily be done, even ſhould that Houſe agree that it was right to alter the conſtitution of Parliament ſo eſſentially. Were they prepared juſt then to take away from the crown the right of appointing Sheriffs for the counties? And if they were not, the power of the crown would be conſiderably encreaſed, if Parliaments were either annual or triennial. So in boroughs, what regulation was intended reſpecting the returning officer? In many places that officer was elected by a very ſmall number. In Briſtol in particular, which he had the honour to repreſent in two Parliaments, where the electors, he believed, amounted to 5000, the returning officer was choſen by a very, very ſmall number

number indeed. Theſe, and other conſiderations, induced him to oppoſe the preſent motion, not only as unwiſe, but as impoſſible to be adopted, and carried into execution ſo as to anſwer any good purpoſe.

Mr. *T. Pitt* ſaid, he wiſhed to have remained ſilent on the queſtion, but when a ſubject of ſo much importance was in agitation, he ſhould be aſhamed to evade ſpeaking to it, though his voice muſt go againſt the motion. He diſclaimed all dread of unpopularity on this occaſion, and declared, that it was with pain he ſtood up one of the firſt to oppoſe a claim upon that Houſe evidently coming from the people; he could eaſily account why the people ſhould wiſh for a ſhorter duration of Parliaments; it was in human nature to be fond of power; the right of election being placed in the hands of the conſtituents, they parted with it for a time when they choſe their repreſentatives, and it was perfectly natural for them to deſire that the right might revert to them as often as poſſible; but though no man would pay greater deference to the wiſhes of the people than he would at all times, he ſhould hold himſelf unworthy of their confidence, if he agreed to any propoſition, merely becauſe it was the propoſition of the people, when his own judgement and conviction clearly pointed out to him that the propoſition was an unwiſe one, and that the people in making it, were aſking for that which would be in its conſequences, if complied with, eſſentially detrimental to their intereſts. He ſaid, had that Houſe complied with the petitions of the people, and remedied their grievances, as they had promiſed, the people would not have deſired to take away the power of ſitting for ſeven years together in that Houſe, which the repreſentatives of the people now enjoyed, excepting only when the crown, for wiſe and neceſſary purpoſes, ſhortened the duration (for it ought not to exerciſe its prerogative in that manner, but for wiſe and neceſſary purpoſes) of Parliament by a diſſolution. He was, however, moſt fully convinced, that ſo far from diminiſhing the influence of the crown, annual or triennial Parliaments would conſiderably encreaſe it. The influence of the crown was not confined within thoſe walls; if it were, we ſhould be a great and happy people. It was the influence of the crown without doors that was ſo alarming. The encreaſed public revenue was the great ſource of influence. The King in times of peace had fourteen millions to ſpend annually, and now how much more paſſed through the hands of government? If corruption would be checked without doors, if the

the people could be enabled to preſerve their integrity and their independency, there would be nothing to be feared from the corruption of members of Parliament. It was the purity of the electors that he was moſt anxious for, conſcious, that while they remained uncorrupted, the conſtitution would be ſafe from danger. But to return to the idea of annual or triennial Parliaments. Had gentlemen forgot how many great families even now, were ruined by their endeavours to get into that Houſe, and had ſpent their whole fortunes in election conteſts? Was it to be learnt how hard would be the caſe of every honeſt, independent country gentleman, if the miniſter was to have the power of ſtarting a court candidate againſt him every year, or every three years; what fortune could bear the expence? The conſequence would be, election conteſts would become objects of horror, and the miniſter would ſoon have his own Houſe of Commons. In his opinion, therefore, the preſent motion was beginning at the wrong end. A general election was, as matters ſtood at preſent, a miſchief; if it was to happen oftener, the miſchief would undoubtedly be greater. A general election was now not far off; if report were to be truſted, it was very near. The voice and ſpirit of the people ſeemed to be raiſed. He would, therefore, conſent to reſt the whole argument of the neceſſity for ſhortening the duration of Parliaments upon the return of the next Parliament. Wait that iſſue; ſee if the people had exerted that right they enjoyed, properly and correſpondently with the ſpirit which now appeared to pervade the kingdom. If they did not ſend to Parliament a Houſe of Commons at once honeſt, free, and independent, he would confeſs, he had been much miſtaken, and would join as heartily in ſupporting a bill for triennial Parliaments, as the honourable Alderman or any other of his friends.

Mr. *Fox* roſe next, and ſaid he ſhould be under the neceſſity of ſpeaking more fully to the preſent queſtion than he otherwiſe would do, becauſe, as he had for years voted uniformly againſt the queſtion, and as he meant to vote for it, it was due to the Houſe, and due to his own character, that he ſhould ſtate the reaſons of this difference of conduct. He ſaid, he revered thoſe wiſe and great men who brought in the ſeptennial bill; becauſe the principle on which they acted, in promoting that meaſure, was every way laudable, and every way juſtifiable. At the time of the paſſing of that bill, the Houſe of Brunſwick had been juſt called to the throne, by the unanimous voice of the people, in defence of their liberties,

ties, and in order to protect them from the alarming attempts of a Pretender, whose family was deservedly become odious for their tyranny, and by their repeated endeavours to subvert the constitution, to change the religion of the country, and to bury the liberties of the people under the fabric of arbitrary power, which it had been their constant wish to introduce and to erect. George I. was a prince beloved by both Houses of Parliament, and looked up to as their guardian and protector; it was very natural, under these circumstances, to take every precaution to keep out a third person, a pretender to the throne, and to maintain the House of Brunswick in possession of it. With this view it was, that the three branches of the legislature had agreed to take such measures as were most likely to exclude the Pretender, and what measure could be more promising or more likely, than to pass the septennial bill? Therefore, keeping together that Parliament who were so well disposed towards George I. and who doubtless had no idea that a day could ever come when the liberties of the people would be in danger from the House of Brunswick, who never could suppose that the influence of the crown would be so encreased in the reign of a prince of that House, that it should be voted by the House of Commons to be encreased, encreasing, and that it ought to be diminished. They had therefore acted wisely, and he had ever admired and revered such men. It was from this admiration and this reverence that he had uniformly voted against shortening the duration of Parliament; but what was the case now? The people of England, in whom the sole right of the duration of Parliament lay, called upon that House to shorten it! The people of England made this requisition, a requisition they alone could make, and which, like every other requisition that came from the same quarter, he should ever ever hold himself bound to comply with, and to obey.

Mr. Fox answered Lord Nugent's question about the sheriffs, and said, undoubtedly if the bill now moved for passed, an act must necessarily pass to make that alteration. He also turned off the objection urged by Mr. Pitt, relative to the frequency of elections, and the enormous expence which would unavoidably follow to private families, and honest and independent men, if Parliaments were chosen either annually or triennially; shewing, that even now Parliaments had no certain time of duration, for that it was in the power of government to put an end to them, whenever it should be most for the purpose of government so to do; and that consequently

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government might harraſs individuals at preſent, as much as they could do then. One of the arguments upon which Mr. Fox principally reſted was, that annual Parliaments would leſſen the influence of the crown, declaring, that if any of his conſtituents were to aſk him what our preſent misfortunes were aſcribeable to? he ſhould ſay, the firſt cauſe was the influence of the crown, the ſecond, the influence of the crown, and the third, the influence of the crown; to that, and that only, in his mind, could it be owing, that an unpopular and unſucceſsful miniſtry, whoſe meaſures had ruined their country, kept their offices. He ridiculed Mr. Onſlow's opinion as ſtated by Lord Nugent, and ſaid, that noble Lord's whole ſpeech was a ſample of that contemptuous conduct, which miniſtry aſſumed whenever they thought themſelves ſecure; their way conſtantly was to be afraid, when they firſt heard of any thing that looked like danger approaching them, and as ſoon as they began to think themſelves ſafe, to turn the object of their former terror into deriſion. So it was with the petitions of the people; at firſt nothing could be more humble than the language of miniſters reſpecting them; they had promiſed every thing, but now having again their majority, they affected to laugh at, and to deride that, which they had moſt ſeriouſly dreaded.

Lord *North* began with ironically obſerving, that as the honourable gentleman who ſpoke laſt had conſtantly gone with him in voting againſt every motion ſimilar to the preſent, which had been made from year to year, for ſome years paſt, and as no man was more fully acquainted with the principle on which it was objectionable, nor had any man been ſo able a defender of that principle, he was in hopes on this occaſion to have had the honour of being aſſiſted for once by the powerful and brilliant talents which diſtinguiſhed the honourable gentleman, and that it would have been unneceſſary for any other perſon to attempt to convince the Houſe how miſtaken thoſe gentlemen, both within doors and without, were, who imagined, that if annual or triennial Parliaments were reſtored, the influence of the crown would be diminiſhed. His Lordſhip having opened his ſpeech in this manner, proceeded in a moſt maſterly ſtile of argument, to ſhew the dangerous tendency of the attempt to ſhorten the duration of Parliaments, ſhould ſuch an attempt be carried into execution. He ſaid, his ideas on the ſubject were not newly taken up, neither had he acquired them ſince he had any miniſterial office or connexion; that the firſt time he had

ever

ever preſumed to ſolicit the attention of that Houſe, was to an argument againſt a motion ſimilar to the preſent: that the matter he alluded to, occurred many years ſince, and that his opinion had been conſiderably ſtrengthened by experience. He quoted the ſentiments of a great man, whoſe name he could not immediately recollect, but who, ſpeaking of triennial Parliaments, had ſaid, that their conſequence would be triennial treaties, triennial alliances, and a triennial peace; that, in fact, ſo far from accommodating public buſineſs, they would derange and impede its progreſs. His Lordſhip took up Mr. Sawbridge's hiſtorical account of Parliaments, and ſhewed that our anceſtors had clearly in view, that Parliaments ſhould ſit annually, and ſaid, that by degrees, that end had been drawing nearer and nearer, and was now attained. That the nature of our conſtitution, as it ſtood at preſent, required it. He further ſaid, if Parliaments were to be choſen for leſs than ſeven years, no gentleman could poſſibly think of attempting to begin any great public meaſure, becauſe he could not be certain that he ſhould continue in Parliament long enough to bring it to perfection. He declared that every innovation ought to be watched with a jealous eye, becauſe when once the ſpirit of innovation was abroad, it was impoſſible to ſay where it would ſtop. He ſhould, had he no other reaſon, object to the preſent motion, becauſe it was evident from what the honourable gentleman who ſpoke laſt had ſaid, it was to be neceſſarily followed by ſeveral other innovations. The noble Lord near him had mentioned the appointment of the ſheriffs, a matter veſted in the crown for centuries; the honourable gentleman had ſaid with the moſt perfect eaſe, as if the matter were really trifling and indifferent, "that the mode of appointing ſheriffs muſt be altered, if the preſent motion was agreed to, and the bill paſſed." This, he ſaid, he did not approve, neither ſhould he lightly aſſent to any alteration of the conſtitution.

After very pointedly animadverting on the difficulties that would ariſe in caſe the elections of returning officers were to be almoſt immediately followed by the election of members of Parliament, and enforcing other ſtrong objections to the motion, his Lordſhip concluded with praiſing the healthineſs of the conſtitution, as it ſtood, declaring, that every attempt to improve it, put him in mind of the epitaph on the tombſtone of the famous Italian valetudinarian, Cornaro,

Stava bene, voleva ſtare meglio—ſto qui.

"I was well, I would be better—and here I am."

Colonel

Colonel *Barré* ſupported the motion in a ſhort ſpeech, introducing Lord North's commiſſion of account bill, and other temporary topics of oppoſitional ſeverity, and concluding it with the words *liberavi animam meam.*

Mr. *T. Townſhend* very calmly declared, he had not made up his mind to the idea of ſhortening the duration of Parliament; the motion however was of ſo much magnitude, that it was at leaſt worth while to give it full diſcuſſion; he therefore adviſed the letting the bill be brought in, and go to a committee; not that he meant to ſay, he ſhould ſupport it when it came there, but as it was the wiſh of the people, he thought it deſerved at leaſt ſo much reſpect.

Mr. *Rigby* ridiculed the new converts, as he termed Mr. Fox, and thoſe other gentlemen who had now for the firſt time ſpoken favourably of a motion which they had voted againſt uniformly before. He obſerved, that the honourable gentleman who ſpoke laſt, had not delivered his ſentiments with his uſual warmth, or as if he was remarkably fond of the motion. He argued very ſtrenuouſly againſt innovation, eſpecially where the Houſe was not made acquainted with the butt or goal to which innovation was to be carried. He took notice of an honourable gentleman's having ſpoke againſt the motion, and then walked out of the Houſe [alluding to Mr. Pitt, who had left the Houſe accompanied by his father-in-law Pinckney Wilkinſon, Eſq.] and ſaid, he liked what was ſubſtantial, and ſhould ever prefer a vote to a ſpeech. He alſo, in very ſtrong language, ſhewed the inconvenience that would follow an alteration of the duration of Parliament, and ſtated his reaſons at length for being againſt the motion.

Lord *John Cavendiſh* ſpoke againſt the principles of ſhortening the duration of Parliaments, but wiſhed the motion might be agreed to and the bill go into a committee.

Mr. *Byng* was decidedly for the motion; and in reply to what Lord North had ſaid reſpecting triennial Parliaments producing triennial alliances, aſked where the noble Lord's alliances were?

Mr. *Burke* ſpoke againſt the motion, ſaying, that if it were carried, and triennial Parliaments were introduced, the influence of the crown would be moſt fatally increaſed; if annual Parliaments were the ſort agreed upon, he aſſerted, that there would be no conteſt, and conſequently, that in fact

fact there would be no election. He declared, the queſtion relative to the ſhortening the duration could not be ſaid to have originated in the wiſhes of the people, for it never yet had been properly before them; if it had, and they had fairly diſcuſſed it in every point of view, he did not doubt but they would have ſeen the danger of it, and determined wiſely againſt it; *qui cautè deliberant, facile pronunciant.* He ſaid, however unpopular his ſpeech might render him, it was his duty as an honeſt man to deliver his ſentiments on ſo great a ſubject, that his conſtituents might fairly know what ſort of a perſon it was, who offered himſelf as a candidate for their votes at the next election. He then proceeded to a moſt ample inveſtigation and diſcuſſion of the whole ſubject, exhibiting with all the power of pencil which he poſſeſſes, and with all that glow of colouring, which no man can more beautifully diſplay, that the conſequence of ſhortening the duration of Parliament, would tend to encreaſe corruption, to ruin individuals, and to extend the influence of the crown. He reprobated the attempt by trying a triennial Parliament, as dangerous in the extreme. If the experiment failed, we could not go back to ſeptennial Parliaments without deſtroying the weight and importance which the interference of the people at large ought always to carry with it. He gave a detail of the triennial Parliaments in the reign of William the Third, and ſhewed, that though they were little better than biennial Parliaments, there was more corruption in them, than in any our hiſtory recorded to have ſat. He inſtanced the caſe of the Eaſt India Company's bribery of the members, mentioning the Speaker's being obliged to put the queſtion on his own expulſion, and the affair of Sir Philip Muſgrave.

After ſpeaking moſt ably in ſupport of the ſeptennial, or as he termed them ſextennial Parliaments, he bid the noble Lord in the blue ribbon, and thoſe near him, not flatter themſelves that oppoſition was a rope of ſand, or that the chain was broken, becauſe he did not agree with his honourable friend near him, or the honourable Alderman who made the motion; there was, and would be found to be, an eſſential diſtinction between an amicable difference of opinion, founded upon principle, and hoſtile diſcord. He truſted the noble Lord would find him as tough a link as any in the chain, and he aſſured the Houſe though he ſhould vote againſt his honourable friend to-night, he *ſhould* vote with him again to-morrow.

Sir

Sir *Joſeph Mawbey* roſe to ſpeak, but many members being anxious for the queſtion, the Houſe divided on the queſtion:

Ayes 91 Noes 182

As ſoon as this matter was diſpoſed of, the majority of the members left the Houſe.

Mr. *Eden* moved to have the New York port bill read a ſecond time, giving the Houſe to underſtand, that the honourable gentleman who meant to oppoſe it [Governor Pownall] was gone, but had declared to him, that as he ſhould have an opportunity of oppoſing the principle of it, when the motion was made "For the Speaker to leave the chair," he would not oppoſe it on the ſecond reading.

Sir *James Lowther* remonſtrated on the impropriety of reading it a ſecond time in ſo thin a Houſe, and in the abſence of the honourable gentleman alluded to, who was gone away, and who had told him in the courſe of the evening, that he meant to oppoſe the bill on the ſecond reading, but that no other buſineſs would come on that day. To attempt to read now, therefore, would be a catch, and ought not to be allowed.

Mr. *Eden* ſaid he did not underſtand the phraſe which the honourable Baronet had uſed; that he had no view whatever but fairneſs and ſervice to the trade of his country, in giving himſelf any ſort of trouble about the bill. The honourable gentleman from whom oppoſition to the bill was expected, had told him juſt before he left the Houſe, that he ſhould not oppoſe it in that ſtage, as he ſhould have an equally good opportunity of oppoſing its principle, when the queſtion came to be put for the Speaker's leaving the chair. He added, that in fact nothing would be got by reading it a ſecond time then, but a little time, for if the bill was to be thrown out in conſequence of the oppoſition intended, it could as effectually be defeated in either of its ſubſequent ſtages.

The *Speaker* confirmed Mr. Eden's aſſertion, declaring that the honourable member had aſſured him that he would not oppoſe it in that ſtage, before he left the Houſe.

A general cry of "put the queſtion," "put the queſtion" prevailing,

The Speaker had nearly finiſhed putting it, when

Colonel *Barré* roſe and ſaid, that certainly if there was a doubt whether the honourable gentleman meant to oppoſe it in that ſtage or not, it would be but fair and decent not to proceed upon it till the honourable gentleman was preſent to anſwer for himſelf.

Mr. *W. S. Stanhope* was of the ſame opinion.

Sir *James Lowther* roſe again, and maintained his former argument, declaring that the honourable gentleman in queſtion had told him that very night, nearly twenty times over, that he ſhould oppoſe it on the ſecond reading, he muſt therefore recur to his former expreſſion, and repeat, that if it were read a ſecond time, it would be a catch and a trick; if the honourable gentleman had told any body that he ſhould not oppoſe it in that ſtage, it muſt be ſince ten o'clock, but he did not believe he had ſaid any ſuch thing.

The *Speaker* again ſtood up, and declared that he had told him ſo expreſsly.

Lord *Beauchamp* ſaid, that let the preſent difference of opinion ariſe from a miſtake either one way or the other, the honourable gentleman's objections to it, he underſtood, went ſolely to the clauſes which the Lords had introduced into the old bill, and which were copied into this new one; the honourable gentleman therefore would have ample opportunity of ſtating his objections when the bill was in a committee; indeed the honourable gentleman had brought in the former bill himſelf; it was not very likely therefore, that he ſhould wiſh to oppoſe this upon the ſecond reading.

The *Speaker* told his Lordſhip he was miſtaken; that it was the principle of the bill which the honourable gentleman meant to object to, and therefore he muſt object to it either on the ſecond reading, or on the motion for his leaving the chair. He ſubmitted it, however, to the committee, whether it was worth while to loſe ſo much time upon the matter? Why not agree to read it a ſecond time another day?

Ay, ay, ay, being echoed through the Houſe;

Mr. *Eden* roſe again, and begged to ſay a word or two before the matter was decided. The bill then the ſubject of diſcuſſion, had been brought in by him, merely to relieve the trade of this country from the very great difficulties it laboured under, and which difficulties became more and more ſerious and ſevere, the longer the paſſing of ſome

ſuch

ſuch bill was delayed. He himſelf had no perſonal intereſt in the bill, he begged therefore, to hear no more of catch and trick; it was a language he did not underſtand, and a language he was not diſpoſed to receive from any man. As far as regarded the bill, he was the ſervant of the Houſe; he had brought it in, in conſequence of their direction; he felt no other ſatisfaction in the trouble of taking care of it in its Parliamentary progreſs, than aroſe from a conſciouſneſs of contributing as far as the bill ſhould be ſuffered to go, in aſſiſting the diſtreſſed trade of his country. The honourable Baronet, being a man of much larger property, and ſtanding more diſtinguiſhed than he did, was more concerned in the fate of the bill than he was; every man of property was intereſted in it. The honourable Baronet therefore might take it to himſelf, if he pleaſed; he was very ready to reſign the care of it.

Sir *James Lowther* ſaid, he had nothing to ſay againſt the bill, nor ſhould he oppoſe the ſecond reading, whenever it ſhould be, he only had thought it decent to move it in a fuller Houſe, and in the preſence of the honourable gentleman, who it was expected would oppoſe it.

Mr. *Eden* then agreed to move for the ſecond reading of it the firſt buſineſs to day, and if that was acquieſced in, ſaid, he would move to have it committed for to-morrow.

The Houſe roſe at twenty minutes after twelve.

May 9.

The Houſe, after diſpatching ſome private buſineſs, went into a committee on the bill for permitting, for a limited time, the importation of cotton wool for the Levant and Mediterranean ſeas.

Counſel were then called to the bar, and Meſſrs. Erſkine and Pigot heard againſt the bill.

As ſoon as the counſel withdrew, two witneſſes were heard in ſupport of the allegations ſtated in the petitions on the table, from the towns of Lancaſter and Liverpool.

It being at length moved that Mr. Rawlinſon, who deſcribed himſelf as agent for the petitioners from the town of Lancaſter, and whoſe name likewiſe being ſigned to the petition, be called to the bar, to give evidence touching the facts ſtated in the petition, an objection was taken to his competency, which produced a debate of ſeveral hours.

It was urged againſt receiving his evidence, that being a petitioner as well as an agent, he could not be examined to the facts ſtated in the petition he had himſelf ſtated and aſſerted, as an intereſted perſon, to be true.

It was contended, that he could be examined to the facts he had ſtated as an agent, but not as a petitioner.

It was aſſerted in reply, that perſons, merchants, &c. had been frequently examined, though they were ſuppoſed to have an intereſt in the iſſue as merchants.

A diſtinction was taken between information given at the bar to the Houſe, where there was no oppoſition, and the evidence of parties entruſted in the caſe of an actual oppoſition, which was the caſe in the preſent inſtance.

It was ſaid in anſwer, that though the objection taken went to the credit of the witneſs, it did not go to his competency. It was at length agreed, the current of the committee running that way, that Mr. Rawlinſon be heard on the ground of competency. The ſpeakers, in this intricate controverſy about order, were Lords North, and G. and J. Cavendiſh, Mr. Burke, Mr. Bamber Gaſcoigne, Mr. Montague, and Sir Grey Cooper, who argued the point of order very ably, Sir William Meredith, Sir William Bagot, Sir Adam Ferguſon, Sir George Yonge, Sir Richard Sutton, Mr. Dempſter, Governor Pownall, Mr. Eden, Mr. Pultney, Mr. Pennant, and three or four others.

Mr. Rawlinſon was then called to the bar, and gave a very long teſtimony. The principal facts which he ſtated were, that the average price of cotton wool was in 1774 about 1s. 9d. per pound; in 1776, and 1777, 1s. 6d. per pound; in 1778, 1s. 3d. and in 1779, 1s. 6d. that the total quantity imported, upon an annual average, was about four millions, of which two millions, or more than two millions, were imported into the towns of Liverpool and Lancaſter, and that he did not know how much of the ſame had been imported from the Levant and Mediterranean ſeas, but referred the committee to the accounts lying on the table for that information.

May 10.

The Houſe having reſolved itſelf into a committee, and Mr. *Ord* having taken his ſeat at the table, the committee proceeded to fill up the blanks in the clauſes of the malt tax bill; the firſt clauſe that came under conſideration was that, which enacted that the public brewer, within the bills of mortality, ſhould be entitled to a drawback, by a ſtated allowance being made him on each barrel of beer.

Sir Grey Cooper moved, that the blank ſhould be filled up *th the* words "one ſhilling and four-pence."

This

This gave riſe to a ſhort debate.

Mr. *Whitbread* ſaid, that the London brewer might poſſibly be able to bear this burthen at preſent, becauſe malt was at a low price, but declared if malt ſhould riſe, the London brewer muſt either leave off brewing or be ruined. He minded the noble Lord in the blue ribbon, that when he firſt opened his intention of laying an additional tax on malt, he had ſtated that he ſhould ſo conduct and frame the bill, that the burthen ſhould fall upon the private brewery, and not upon the public brewery, obſerving at the ſame time, that the latter already paid conſiderable taxes, not one of which at all affected the former. Mr. Whitbread added, that the drawback, if it paſſed at 1s. 4d. per barrel of beer, was by no means equal to the duty that the public brewer would pay on the quantity of malt uſed in brewing that barrel of beer; he ſtated, in proof of this aſſertion, the number of quarters of malt uſed by the London brewers in the courſe of a twelvemonth, and the exciſe office returns of the number of barrels of beer brewed, whence it plainly appeared, that the drawback was ſomewhat leſs than the duty.

Lord *North* ſaid, he had a good deal turned in his mind, the queſtion whether the allowance was ſufficient to the public brewers or not, ſince the committee had laſt ſat upon the bill, and that upon mature conſideration, and a careful reference to authentic accounts, he was convinced that a drawback of one ſhilling and four-pence per barrel, within the bills of mortality, was as much as could reaſonably be expected by the brewer, and as much as the public ought to allow. The honourable gentleman had argued upon the preſumed ground, of his having declared, that the drawback ſhould be fully equal to the duty. He begged the honourable gentleman and the committee to recollect, that he had laid down no ſuch propoſition. The propoſition ſtated by him, when he firſt opened his intention of laying an additional duty on malt, was, that the private brewery, not paying any of the late taxes, which affected the public brewery, and the cruel exigencies of the times requiring that ſo large a ſum as 300,000l. ſhould be raiſed on the ſubject, the private brewery ſtruck him as a fair object of taxation; but in order to obviate the objection that might ariſe, and indeed to prevent the uneaſineſs and the diſcontents that in all probability would have ariſen, if the exciſeman had been ſuffered to enter the private houſes of individuals, he had been obliged to lay the duty in the firſt inſtance; to lay it upon malt, though, in fact, it was a tax upon beer. This he owned was but a

blundering buſineſs, and a round about way of coming at the private brewer, but as long as keeping the exciſeman out of the houſes of individuals was inſiſted on, there was no other way of doing it. When he had originally explained this mode of laying the tax, he had ſaid, that he ſhould take care ſo to lay it, that the public brewer ſhould have no warrantable cauſe for raiſing the price of his beer, ſo as to make it come dearer to the lip of the conſumer. That had been his propoſition. Now in making the drawback, he had carefully looked into the ſtate of the brewery, taking it from the year 1760, and examining, in the courſe of the laſt twenty years, what had been the burthens laid on it by acts of Parliament, and alſo examining what advantages the brewers had derived from the public, in oppoſition to theſe burthens. The examination he had made plainly proved, that moſt of the late taxes had been ſo many new ſources of profit to the brewer, who had ſhifted the burthen from his own ſhoulders, and laid it with ſome addition on the ſhoulders of his cuſtomers, who had likewiſe added ſtill more upon it before the conſumer paid for it. Upon an average review of both ſides, and a candid ſtriking of the balance, it did appear to him, that 1s. 4d. though perhaps not exactly equal to the new duty, was ſuch an allowance as was reaſonable and fair, and that ſuch an allowance being made, the brewer would not be juſtified in raiſing the price of his beer to the public.

Mr. *Whitbread* roſe again, and ſaid, that ſo far from taxes being a benefit to the trade, they were a very grievous burthen on it. That they affected the trade more ways than one. That if the drawback went at 1s. 4d. ſome brewers would be induced to draw greater lengths from their malt, and to brew bad and weaker beer; the conſequence of which would be, if porter had not that body and ſtrength which it ought to have, it would no longer be ſalutary and ſerviceable to thoſe who drank it, it would be diſliked, and people would either have recourſe to ſpirits, or ſtrong liquors would be thrown into the beer when they drank it, all of which, he preſumed, were matters of great political conſideration, and well worthy the attention of Parliament. Beſides, had the noble Lord forgot the ſtate the brewery was in four years ago? Had he forgot that the trade was then almoſt ruined? He thought it his duty to endeavour at leaſt to prevent any of theſe conſequences, by moving as an amendment to the preſent motion, "that the allowance to the public brewer ſhould be 1s. 6d. inſtead of 1s. 4d. per barrel." He ſaid, he feared he ſhould not have

weight

weight enough to carry the amendment, but he would nevertheleſs try its fate.

After ſome more debate, the amendment was put and negatived; the original motion that 1s. 4d. be the allowance was then put, and carried.

The next clauſe was that for making an allowance to the country brewers. The blank in this clauſe Sir *Grey Cooper* propoſed to fill up, with the words "one ſhilling and eightpence."

This gave riſe to another debate.

Lord *John Cavendiſh* ſaid, it was always a diſagreeable thing to him to meddle with the taxes, or object to the ſupply, becauſe though he lamented our preſent difficulties, and thought thoſe who brought them upon us deſerved the public execration; he could not ſay that the ſupply muſt not be raiſed, and adequate taxes impoſed on the ſubject; he left the propoſing and providing thoſe taxes, however, in general to the miniſter, and as long as they were equally impoſed, and not oppreſſive, he ſhould not object to them. On the preſent occaſion he had been applied to by letters from various perſons in different parts of Yorkſhire, pointing out to him that the new tax for malt, if impoſed in the manner in which the noble Lord had publicly declared he ſhould impoſe it, would be a moſt unequal tax, and a tax extremely oppreſſive and ſevere upon the poor in that part of the county, who in general brewed their own beer. Thoſe letters, he ſaid, ſtated, that the operation and effect of the tax would be exceedingly unequal. That the brewer, or publican, who lived in a village where there was no other alehouſe, would be induced to draw greater lengths from his malt, and his cuſtomers having no other reſort, would be obliged to drink very bad beer, or go without any; whereas in towns where there were many publicans who brewed, and where there was a competition who ſhould brew the beſt liquor, ſome would unavoidably be ruined by it. His Lordſhip reprobated the tax as a very unfair one in many reſpects.

Lord *North* repeated his former arguments, that it would be impoſſible to lay any tax that was likely to be productive of a large ſum, without ſome deſcription of perſons or other being particularly affected by it. The cyder tax, which he had always thought a fair tax, and had never conceived himſelf oppreſſed by it, though he had been one of thoſe who were affected by it, had been, as gentlemen knew, loudly complained of by one part of the kingdom. A ſmall compoſition would, as that tax was laid, have ſaved every private

family from what was held out to be a moſt terrible circumſtance, viz. the being liable to the viſits of an exciſeman. He had been obliged to pay that compoſition himſelf, in order to keep his Houſe free from that officer's entering it; but, as he ſaid before, it never ſtruck him as any hardſhip. In the preſent caſe, he could not think that the tax would be ſo ſeverely felt in thoſe parts of Yorkſhire, which the noble Lord had ſpoken of, becauſe if the poor found it diſagreeable to pay more for malt than they paid before, they had nothing to do, but to leave off brewing, and to take their beer of the public brewer. Indeed this was one of the points in which the public brewer would be benefited both in town and country, becauſe as the private brewery might, and probably would, in conſequence of the operation of this bill, decreaſe, the public brewery would naturally increaſe. He was aware that this effect would not be ſo much produced in the metropolis as in the country, becauſe in the city he believed very few perſons brewed their own ſmall beer. In the environs, however, ſeveral, and in the country great numbers did. If any of the latter diſliked the tax, it was an eaſy matter for them to reſort to the public brewer. His Lordſhip again ſaid, that it was neceſſary to raiſe the 300,000l. wanted by a productive tax; the preſent ſeemed to him to be a fair one, and though it was impoſſible for him to anſwer for it, yet he had every reaſon in the world to believe it would turn out to the full as productive as was expected.

Lord *John Cavendiſh* roſe again, and ſaid, what the noble Lord had ſuggeſted, relative to the opportunity which individuals would have, of reſorting to the public brewer, might be a very good argument, when applied to London, but that it would not hold a moment, when applied to the country in general, and for this ſtrong reaſon; excepting in capital towns, there was no ſuch thing as a public brewer an hundred miles from the metropolis. In Yorkſhire, and thoſe parts of it, of which he had before ſpoken, there was no public brewer for five and twenty or thirty miles together. The poor families never dreamt nor heard of a public brewer, and if they had a deſire to have their beer of a public brewer, it was impoſſible for them to have it ſo in that part of the country. His Lordſhip went into a general arraignment of the taxes impoſed for ſome years paſt, and reprobated them as partial and impolitic. One year the Weſt Indies were to be taxed, and our revenue was to come from thence! Another year the Eaſt Indies! Another year America! Another year *part of* England, and ſo on. All theſe ideas of taxation were

pitiful,

pitiful, ridiculous and contrary to every rule of ſound policy and good government. Taxes, his Lordſhip contended, ſhould be ſo laid as to bear equally upon all ranks of ſubjects, and when ſo laid, let the amount of the money they were intended to raiſe be ever ſo great, the burthen would be a light one, and no deſcription of men would complain of it.

Lord *North* replied, and juſtified the preſent tax from the accuſations brought againſt it by the noble Lord.

Sir *George Savile* ſtood up in behalf of the poor in Yorkſhire, and repeated that information to the committee, which he had given them laſt week, relative to the pottage made from ſmall beer and oatmeal, on which the poor near Halifax chiefly ſubſiſted their children.

Sir *Edward Aſtley* alſo roſe an advocate for the poor [in Norfolk] and reprehended the tax on general grounds.

The queſtion was at length put, and the motion was carried.

The next clauſe debated was, that which ordained what the allowance ſhould be to the public brewery in Scotland, on ſtrong beer.

Sir *Grey Cooper* moved to fill up the blank with the words "ten-pence."

Mr. *Dempſter* roſe, and contended, that if the blank was ſo filled up, it would be a great injuſtice to Scotland. He ſaid he was aware of the prejudices always entertained againſt local objections; but he hoped, if the committee would have the goodneſs to lend him their attention, to be able to convince them, either that the noble Lord in the blue ribbon had proceeded on a wrong calculation, or that he had totally miſtaken the ſtate of the brewery in Scotland. He then ſtated to the Houſe, that as the malt of Scotland was conſiderably inferior to that of England, the committee had agreed to adopt the rule wiſely laid down 55 years ago, and uniformly adhered to ever ſince, of impoſing only half the duty on the malt of Scotland, to what was impoſed on that of England, viz. 6d. per buſhel on the latter, and only 3d. a buſhel on the former. In conſequence of this, the noble Lord had propoſed to make Scotland only an allowance of 10d. per barrel, forgetting that the allowance was made on the manufactured commodity, and forgetting that the arguments, in compliance with which it had been agreed to tax malt in Scotland only half as much as malt in England, had turned entirely on the ſtrong fact, that Scotch malt would only go half as far as Engliſh malt; and that therefore when a barrel of beer was brewed in Scotland, equal in quantity and quality to a

barrel of beer brewed in England, twice as much malt was brewed in it, and conſequently that the barrel of beer had paid as much malt duty as in England, and therefore that it was entitled to the ſame allowance. After arguing this for ſome time, Mr. Dempſter ſaid, that ſo far from Scotland's requeſting any thing unreaſonable, though the public brewer was as fully entitled to an allowance of 1s. 8d. per barrel as the public brewer in England, that the country would be contented with an allowance of 1s. 4d. per barrel. He therefore moved, as an amendment to the motion, that the words "ten pence" be omitted, and the words "one ſhilling and four-pence," be inſerted.

This amendment gave riſe to a long debate, in which Lord North, Sir Richard Sutton, Mr. Dempſter, Sir Adam Ferguſſon, Sir Philip Jennings Clerke, the Lord Advocate, Sir Laurence Dundas, Sir William Cunnynghame, Sir George Savile, Mr. Whitbread, Mr. Cater, and Mr. J. Johnſtone, took part.

All the old ground of the poverty of the barley of Scotland in conſequence of the climate, was touched upon.

Lord *North* maintained the original motion, and went into a detail of the expences of brewing a barrel of beer in Scotland, with the addition of the taxes. He took the barley at four buſhels, and ſtated the coſt at 6s. 9d. excluſive of the taxes, which he rated at 4s. 5d. making the whole coſt of a barrel come to 13s. 11d. whereas it was ſaid to be ſold for 14s. 4d. Having ſtated theſe particulars, he ſaid it was impoſſible that the aſſertion could be juſt, that the beer ſold for no more than 14s. 4d. if four buſhels of barley were allowed for each barrel.

Sir *Philip Jennings Clerke*, who had but juſt come into the Houſe, roſe, and ſaid, he was for an equality, and if Scotland was paid a drawback of 1s. 8d. he ſhould move that England be allowed the ſame.

He was told by the whole committee that the clauſe reſpecting England had paſſed the committee, and that the allowance was 1s. 8d. exactly as he had declared it ought to be.

The *Lord Advocate* ironically complimented the honourable Baronet on coinciding in opinion for once with the noble Lord in the blue ribbon. He then himſelf oppoſed the original motion, and argued in ſupport of the amendment. He declared, among other matters, that as the two-penny, as it was called in Scotland, was now brewed, it was ſuch poor, miſerable, nauſeous ſtuff, that the old folks who were yet *living*, and remembered what the Scotch two-penny was in better

better times, could not drink it, but ſickened at the ſight of it. He enforced Mr. Dempſter's argument, and declared he ſhould vote againſt the tax, unleſs Scotland was fairly dealt by.

Sir *Philip Jennings Clerke* roſe to retort upon the Lord Advocate, and ſaid it was the firſt time he had ſeen him ſpeaking in oppoſition to the noble Lord, and he muſt ſay, he did not look very well in his new ſituation.

Mr. *J. Johnſtone* ſaid, Scotland ought to be dealt with equally with England; if the original motion was carried, the allowance would be both unequal and unjuſt.

Sir *Adam Ferguſſon* very ably argued in ſupport of the amendment, and ſhewed, that it ought to be agreed to, grounding what he ſaid on the facts relative to the brewery in Scotland, ſtated in an affidavit made by a public brewer. Sir Adam contended, that in Scotland the tax would operate exactly differently from its operation in England, for that there ſcarcely was any ſuch thing as a private brewer in Scotland, every perſon taking their beer from the public brewer; the tax, therefore, if a proper drawback was not allowed the public brewer, would be a very heavy burthen upon the public brewery, directly contrary to the profeſſed intentions of the noble Lord in the blue ribbon, when he firſt propoſed the tax to the committee.

Lord *North* replied, and gave an account of the prices of barley from a public regiſter of the prices of corn in Scotland. His Lordſhip ſaid, if the two-penny of Scotland, which he preſumed took its name from the Scotch pint, and was ſold at a penny a bottle retail, was ſuch wretched, nauſeous ſtuff as the learned Lord had deſcribed it to be, it could have no malt in it, and might as well be brewed from ſhavings. His Lordſhip recapitulated his detail of the expences of brewing a barrel of beer.

Sir *Laurence Dundas* roſe to ſay, that though the word *barley* might ſtand in the regiſter of corn in Scotland, which the noble Lord had ſeen, that in fact very little grew in that country, and none in many parts of it. He particularly deſcribed the grain which grew on his own eſtates in Scotland.

Lord *North* ſaid, the regiſter he had looked to, if he remembered right, mentioned Argyle and Bute, which he preſumed were not the moſt fertile parts of Scotland.

Sir *Laurence Dundas* explained this by ſhewing, that barley was mentioned if a ſingle boll was ſold, but that by no means proved

proved that enough was produced to make it an object of taxation.

Sir *William Cunnynghame* mentioned the difference of grain in different parts of Scotland, and particularly the difference between the grain of Eaſt and Weſt Lothian.

Mr. *Dempſter* ſaid, the noble Lord's error in ſtating the coſt of brewing a barrel of beer in Scotland, aroſe entirely from his allotting four buſhels of barley, inſtead of four buſhels of malt to each barrel. That every perſon knew four buſhels of barley would yield more than four buſhels of malt, and on that alone reſted the whole profit of the brewery. With regard to the difference between the Scotch two-penny and Engliſh ſmall beer, he ſaid it was about the ſame as the difference between the wine of the northern, and the wine of the ſouthern provinces of France; the wine of Languedock, and the *petit vin* of the Iſle of France. He called upon the noble Lord to know if he had his information relative to the Scotch beer from the commiſſioners of exciſe in Scotland. If the noble Lord would declare he had, he ſaid, he would give up the point, but if he had not, he begged the noble Lord to ſuſpend the matter for eight and forty hours, only that he might inform himſelf better on the ſubject, and adviſed the noble Lord to agree to a motion for the chairman's leaving the chair, reporting a progreſs, and aſking leave to ſit again.

Lord *North* in reply, went over the whole ſubject again, and ſaid, if the preſent propoſition for ten-pence ſhould be agreed to, and it ſhould afterwards appear that it was too little, it might be encreaſed by an amendment moved on the report; but if it ſhould now be encreaſed, and ſhould hereafter appear to be too much, it could not be diminiſhed on the report, becauſe the forms of the Houſe would not allow that. As to the ſuſpenſion recommended by the honourable gentleman, it would be full that length of time before the report could be made.

Mr. *Dempſter* ſaid, he now ſaw clearly that the noble Lord had not informed himſelf properly on the ſubject, and indeed he had ſuſpected as much all along, becauſe the noble Lord had given the amount of the duty in Scotland for nothing, but had taken the whole 300,000l. upon the Engliſh duty.

Mr. Dempſter then went into a full detail of the ſtate of the brewery in Scotland, and after a good deal more debate, the queſtion was put, and the committee divided on the amendment, Ayes 33. Noes 113.

The

The original motion was then put and carried.

They next proceeded to fill up the other clauſes, and at length divided on the queſtion, whether 6d. or 8d. ſhould be allowed on the barrel of two-penny (for though the committee had made the allowance on two penny, the mean ſubject of their preceding debate, the clauſe really before them was that of the ſtrong beer.) On the diviſion, the numbers were, Ayes (for the 8d.) 17. Noes 116.

Mr. *Clayton*, while the ſtrangers were out on this diviſion, moved that they ſhould not be admitted again.

May 11.

Mr. *Clayton* having laſt night given notice that he ſhould move for the ſtrangers to withdraw, as ſoon as he could come down the next day, no ſtrangers were this day admitted. The plea on which this new and ſingular objection, (for new and ſingular it is, conſidering the cuſtom of late years,) is grounded, is an opinion, that ſtrangers contribute to heat the Houſe, to the inconvenience of the members. It is a little extraordinary, that this objection ſhould be juſt now taken, when there are rarely ſo many as two hundred members preſent at a time, and remarkable thin galleries. There were not thirty ſtrangers in the gallery, when they were excluded, and not one hundred and fifty members below ſtairs.

The order of the day was read for the ſecond reading of the election qualification bill; the ſame was accordingly read, and committed for Tueſday the 23d of May inſtant.

A motion was made, that the act of the 8th of George II. cap. 30. intitled "An act for regulating the quartering of ſoldiers, during the time of the election of members to ſerve in Parliament," and the ſame having been read by the clerk,

It was moved, "that leave be given to bring in a bill to exempt the city of Wincheſter out of the ſaid act, ſo far as relates to removing the troops during an election." After a ſhort converſation, the Houſe divided, Ayes 39. Noes 21.

The order of the day was read for the Houſe to be put into a committee on the ſtate of the war. The Speaker then left the chair, and

Mr. *D. Hartley* roſe, and informed the Houſe, that Sir Henry Clinton had written home for an additional number of troops; but that owing to their not being ſent him till the month of March, when it was too late to render him the uſe he intended them for, he had been diſappointed of an important expedition. The honourable gentleman wiſhed to know why the troops had not been ſent in time, and moved,

1ſt, That it is the opinion of this committee, that the proſecution of an offenſive war in America is moſt evidently a meaſure, which, by employing our great and enormouſly expenſive military operations againſt the inhabitants of that country, prevents this country from exerting its united, vigorous, and firm efforts againſt the power of France and Spain, and has no other effect upon America than to continue and thereby to increaſe the enmity which has ſo long and ſo fatally ſubſiſted between the arms of both; can be productive of no good whatever, but, by preventing conciliation, threatens the accompliſhment of the ruin of the Britiſh empire.

2d, That an humble addreſs be preſented to his Majeſty, ſtating the matter of the foregoing reſolution, and moſt earneſtly entreating his Majeſty to give his moſt gracious concurrence therewith; to expreſs, at the ſame time, that his moſt faithful Commons think it their indiſpenſible duty to lay theſe their thoughts before him, as conceiving that they ſhould betray his Majeſty, and thoſe whom they repreſent, if they did not diſtinctly ſtate, that the public affairs of this kingdom are in ſuch a ſituation, that every poſſible exertion of prudence and vigour in the public councils muſt now of neceſſity be called forth in the public cauſe; to repreſent to his Majeſty that the two points of reſtoring peace to America, and of maintaining the honour of the crown of Great Britain in the ſight of all foreign powers upon thoſe ſtrict principles of ſincerity and public faith, by which alone nations can be holden together, are the neareſt to the hearts of his moſt faithful Commons, who have the fulleſt confidence, that, aſſiſted by his Majeſty's authority in the proſecution of prudent and vigorous councils, they ſhall be enabled to maintain the honour and reputation of this country againſt any confederacy whatſoever, and that a reconciliation with America may be effected upon beneficial, juſt, and honourable terms.

3d, That leave be given to bring in a bill to inveſt the crown with ſufficient powers to treat, conſult, and finally to agree upon the means of reſtoring peace with the provinces in North America.

Lord *George Germaine* ſaid, that no requiſition for troops had been received from Sir Henry Clinton, and that thoſe ſent, had been ordered for America, merely becauſe it had been thought an adviſeable meaſure at home.

Lord *Irnham* obſerved, that the Houſe was very thin, and that the matter had, therefore, better be poſtponed.

After ſome further converſation, in the courſe of which *Mr. Townſhend* complained much of the bad attendance of

the

the members; it was reſolved, that the committee ſhould report a progreſs, and ſit again on the 25th inſtant.

Sir *Grey Cooper* then moved, "That the report from the committee on the malt bill, be now brought up." After a little converſation, the Houſe divided, Noes 22; Ayes 69.

A clauſe was next propoſed on which a ſhort debate aroſe; and, upon a diviſion, there appeared for it, Ayes 7; Noes 95.

A motion was next made, that this bill with the amendments be ingroſſed, Ayes 86; Noes 13.

On bringing up the above report, Mr. *J. Johnſtone* made one more effort in favour of Scotland, relative to the drawback, but it was fruitleſs.

Sir *James Lowther* alſo divided the Houſe on a motion to inſert a clauſe, enacting that the counties of Weſtmoreland and Cumberland growing big and bear, ſhould be put on the ſame footing as Scotland. Sir James loſt it by a conſiderable majority.

Sir *William Bagot* then endeavoured to obtain an exemption in favour of Burton-upon-trent, declaring that Burton ale was brewed more for exportation than home conſumption.

Mr. *Sawbridge* ſpoke againſt this, and ſaid, as Sir William was a firm friend of the noble Lord in the blue ribbon, and had uniformly ſupported him in all thoſe meaſures which had brought ruin upon the empire, he did not ſee why Burton ſhould not ſhare in the public misfortunes, and pay its quota of the public burthens.

Sir William Bagot's propoſition was negatived.

The order of the day was next read for the Houſe to be put into a committee on the militia bill; the Speaker then left the chair, and the committee having made ſeveral amendments to the ſame, ordered the report to be received on that day fortnight.

May 12.

As ſoon as the miſcellaneous buſineſs was over, Sir *Grey Cooper* moved the bone lace bill—inſtead of four per cent on foreign lace, ten per cent was moved.

New malt-tax bill engroſſed. Sir *Grey Cooper* moved third reading. Mr. *Powys* objected to it, as a motion by ſurpriſe, for which the Houſe was not prepared. Mr. Burke, Mr. Powys, and three or four others, ſpoke in the debate.

Lord *North* diſapproved of paſſing the bill in the ſtate of preparation the Houſe was in; and it was agreed upon by both ſides of the Houſe, to put off the third reading till Monday the 22d inſtant.

Lord

Lord *North* now gave notice of the army extras and East-India bill.

Mr. *Huſſey* moved to adjourn the Houſe till Monday the 22d inſtant. After ſome debate reſolved in the negative, for Monday 22, againſt 31.

Lord *Beauchamp* moved the tobacco bill; after a ſhort debate, bill ordered in.

Mr. *Darker* moved the ſecond reading of the bribery election bill; on the queſtion put, Ayes 21; Noes 36.

The Houſe went into a committee of ſupply, voted a million and an half to pay off the navy debt; after a ſhort debate it was reſolved in the affirmative.

The Houſe went into a committee upon the Levant trade bill. Much converſation at the bar to very little purpoſe. The witneſſes were deſired to withdraw about nine. The debate continued till twelve, when the queſtion was put, that the word cotton be omitted, which was agreed to without a diviſion.

A few minutes after twelve the Houſe roſe, and adjourned to the 18th.

May 18.

Agreed to the report of the reſolutions of Friday laſt on the ſupply: That 1,500,000l. be granted towards paying off the debt of the navy. 15,700l. to make good the like ſum iſſued in purſuance of addreſſes of this Houſe.—14,348l. for defraying the charge of the convicts on the Thames—11,712l. for defraying the charge of additional companies to the militia for 1780, including cloathing.—4680l. to make good the deficiency on the pay of additional companies of militia not provided for in 1779.—30,296l. for defraying the charge of new-raiſed levies for 1780.

Came to a reſolution on lace, viz. that the duties payable on the importation of foreign thread lace at the rate of 4s. per dozen yards do ceaſe;—that in lieu a duty of 10l. per cent *ad valorem* be laid on the importation thereof; to be reported on Tueſday.

The bill for better ſecuring the docks and ſtores at Plymouth, was read a third time, and paſſed.

The third reading of the malt bill was, upon motion, put off till next day.

Sir *Grey Cooper* preſented a bill relative to the Iſle of Man, and for regulating the trade thereof.

The Somerſet-houſe bill was read a ſecond time, and committed for Wedneſday next.

Mr.

Mr. *Penton* moved the order of the day for the ſecond reading of the bill for permitting the troops quartered at preſent at Wincheſter, to remain there during the next general election for the county of Southampton.

Colonel *Barré* objected to it, becauſe other expedients might be found, ſuch as removing the election, as had been done upon a former occaſion, to another place, or putting the regular forces, during the time of election, under the command of the civil power of the magiſtracy of Wincheſter.

Sir *George Yonge* and Mr. *Temple Luttrell* ſpoke warmly againſt the bill, as a manifeſt innovation, which would open the door to others of the ſame nature, and defeat the purpoſes of the ſtatute, which was made to ſecure the freedom of elections.

Mr. *Stanhope* pleaded for the neceſſity of the meaſure in the preſent ſituation of affairs, Wincheſter being ſo full of French and Spaniſh priſoners; and he ſtated ſeveral inconveniences in removing the election to another place, particularly the expence to the voters.

Mr. *Penton* informed the Houſe, that if the elections continued to be made at Wincheſter, the troops could not be removed on account of the ſafety of the inhabitants, as there is a diſtemper broke out amongſt the priſoners in the jail, which the phyſicians ſay, is of the ſame nature with that which lately raged at Gibraltar, and is epidemical. The infection aroſe from ſome diſtempered Spaniſh priſoners, and the vigilance of the troops would be requiſite to prevent a communication with the town.

Mr. *Dempſter* ſpoke againſt the bill, and then took notice of the humanity of the French to our priſoners on a late occaſion of ſickneſs amongſt them; they ſent four phyſicians to inſpect into the nature of their diſorder, and to afford them all poſſible relief, though the diſtemper was ſo violent that three of the phyſicians fell a ſacrifice to their humanity. He therefore ſaid, he ſhould move the Houſe at a proper opportunity, that able phyſicians ſhould be ſent to Wincheſter to examine into the ſtate of the priſoners, and to give them all poſſible aſſiſtance.

Mr. *Penton* aſſured the Houſe, that proper perſons of the faculty had been ſent to take care of the ſick priſoners; with which Mr. Dempſter ſeemed ſatisfied.

The bill was then read a ſecond time, and committed.

Colonel *Barré* moved, that it be an inſtruction to the committee to receive a clauſe for removing the election from

Wincheſter to ſome convenient place near it, which was agreed to.

Mr. *Pultney* next moved for leave to bring in a bill to exempt the city of Shrewſbury in the ſame manner from the ſtatute. This was warmly oppoſed by Colonel Barré and the other gentlemen who were againſt the other bill, and they now declared they would vote againſt both, ſince the conſequence they had foreſeen was now demonſtrated, and if they ſuffered one innovation on the act of George II. motion would ſucceed motion for bills of exception, till the whole force of the ſtatute was taken away. The Houſe divided upon the motion, when there were 58 votes for it, to 24 againſt it; and leave was accordingly given to bring in the bill.

The Houſe in a committee next proceeded to conſider of laying certain duties on tobacco, coming in Dutch bottoms from St. Euſtatia and the Weſt-India iſlands, and of legalizing the importation. After ſome debate the committee came to ſeveral reſolutions, which were ordered to be reported this day.

Mr. *D. Hartley* complained of the gallery being ſhut againſt ſtrangers, and ſaid, the people of England were at this time peculiarly intereſted in the conduct of their repreſentatives, and that it was neither fair, nor decent, to ſhut them out, and prevent them from hearing the reaſons given both for and againſt the meaſures propoſed by gentlemen of either ſide of the Houſe. Mr. Hartley argued this point in a very handſome way on the part of the people, and put the impreſſion, which ſhutting the doors made upon the minds of their conſtituents, in various points of view, each tending to ſhew, that the meaſure was likely to produce a bad effect without doors, without anſwering one good purpoſe within.

Sir *Richard Sutton* defended the Speaker by declaring, that there was a ſtanding order of the Houſe againſt the admiſſion of ſtrangers, and that any member had a right to move to have it enforced; that a member had lately moved to have it read; and that being the caſe, ſtrangers were neceſſarily excluded.

Mr. *Hartley* roſe again, and ſaid, he was not at all obliged to the honourable Baronet for his information, becauſe he was as wiſe before as he was then. He was perfectly aware of the ſtanding order, but as that had been made long ſince, and was as potent all the ſeſſion as juſt at preſent, he wiſhed

to

to know why ſtrangers were now excluded, and he had hoped the Speaker would have been ſo kind as to have informed him, as it was from his authority only that he wiſhed to learn any thing reſpecting the orders of that Houſe.

The *Speaker* ſaid, there was a ſtanding order of the Houſe againſt the admiſſion of any ſtrangers, that an honourable member had lately moved to have that order read, and that being the caſe, however much inclined he might himſelf be to the contrary, he was reduced to the neceſſity of ordering the gallery door to be ſhut.

Mr. *T. Luttrell* very ſtrenuouſly maintained the cauſe of the ſtrangers, and ſaid the world would not be ſatisfied with ſuch an excuſe as the ſtanding order, nor admit that as a reaſon, becauſe as the order was not enforced before, they would not be inclined to think there could be any greater reaſon for its being enforced now, and would rather think the true cauſe for thus taking it up, was a conſciouſneſs that the buſineſs in which the Houſe then were, and were likely to be employed, was of too dark, too unjuſt, and too unwarrantable a kind, to bear the light, or meet the eye of day. He ſhewed the bad conſequences likely to attend the ſhutting out of ſtrangers, if the meaſure was perſiſted in, obſerving that their tranſactions would be miſrepreſented, and the people groſsly miſled. He pledged himſelf, however, in caſe the order was perſiſted in, to take care that the public ſhould know what was done within thoſe walls, and ſaid, that if one order of the Houſe was enforced, to the prejudice of their conſtituents, he would move for the enforcing of another, by which means the Speaker would be obliged to come down to the Houſe at ten in the morning, and the buſineſs be infinitely longer in its progreſs than it was at preſent. He concluded with aſking the Speaker why ſtrangers had been let in all the former part of the ſeſſion? If it was contrary to order now, it had been equally contrary to order all along.

The *Speaker* roſe a ſecond time, and ſaid, the reaſon why he had not ordered ſtrangers to be excluded before was, becauſe he had conceived it to be the ſenſe of the Houſe that they ſhould be admitted; that it was his duty to attend to the ſenſe of the Houſe; that they were maſters of their own orders; but while they remained upon the book, he was bound to enforce them whenever he was called upon ſo to do.

Mr. *T. Luttrell* aſked from whence the Speaker derived his opinion, that the ſenſe of the Houſe was more for enforcing the order now, than it had been for ſome time paſt?

The *Recorder of London* put an end to the converſation, by giving notice that he would next day move either to ſuſpend or reſcind the order.

Lord *North* agreed that it ſhould be the firſt matter diſcuſſed next day.

The Houſe reſolved itſelf into a committee on Mr. Burke's bill.

Reſumed the committee, and proceeded to debate the clauſe for aboliſhing the ſeveral offices of maſter of the buck hounds, fox hounds, and harriers. After ſome converſation divided, Ayes 49, Noes 75.

Agreed to the clauſe enacting, that the places of lieutenant and enſign, and all other inferior offices belonging to the body of the yeomen of the guards, after the determination of the offices reſpectively in the preſent poſſeſſors; and alſo, that all commiſſion and other offices belonging to the band of gentlemen penſioners, ſhall not be ſold, but filled by officers of the army and navy on half pay, of fifteen years ſervice.

Divided on the clauſe, for aboliſhing the office of paymaſter of the penſions, &c. Ayes 64, Noes 79.

Divided on the clauſe, againſt the private payment of the penſions paid during pleaſure. Ayes 79, Noes 115.

Moved to fill up the clauſe for limiting the ſecret ſervice money, with the words "three thouſand pounds." The clauſe afterwards rejected without a diviſion.

Divided on the clauſe for regulating the order in which the commiſſioners of the treaſury are to direct the payments, for which warrants are to be ſent by them to the exchequer, viz. the Lord Chancellor, Lord Keeper, Speaker of the Houſe of Commons, and Judges to be paid firſt; the Foreign Miniſters ſecond, &c. &c. Ayes 58, Noes 110.

Divided on the clauſe for iſſuing a commiſſion, authorizing the lords of the treaſury, chief baron of the exchequer, &c. to have power to call the ſeveral accountants before them, &c. in a ſummary way, and to examine and audit, &c. Ayes 31, Noes 68.

Proceeded to the clauſe relative to limiting the auditor of the exchequer's ſalary, and limiting the ſalaries of the two auditors of the impreſt, the chamberlain, clerk of the pells, clerk of the pipe, and tellers of the exchequer. But a motion being made at half paſt eleven o'clock, that the chairman,

man quit the chair, report a progreſs, and aſk leave to ſit again, the motion was put and carried.

In the converſation on the clauſe for aboliſhing the place of paymaſter of the penſions, Mr. Alderman *Sawbridge* obſerved, that ſince the vote of the 6th of April, the influence of the crown had been in a progreſſive ſtate of increaſe. On that memorable night, a majority of 233 gentlemen had voted, "that the influence of the crown had increaſed, was increaſing, and ought to be diminiſhed." Great numbers who compoſed that majority, had proved the ſecond part of the propoſition, in their own perſons, in the cleareſt and moſt unqueſtionable manner. They had felt its influence in its fulleſt extent, but they diſapproved of the concluſion, "that it ought to be diminiſhed;" ſo far from it, in almoſt every ſubſequent vote they gave, they declared, that it ought not to be diminiſhed, and they very conſiſtently refuſed to diminiſh it, which was ſuch a phenomenon in politics as required ſome explanation, and he would, as far as he was able, endeavour to account for it.

Some meaſures were propoſed in the courſe of the enſuing week, and a few country gentlemen, or county members, from what motives he would not pretend to ſay, ſeemed, or affected to be ſtaggered; they divided from their friends, or abſented themſelves. But this was only the fore-runner of the ſudden alteration which was about to take place.—The ſpeaker's illneſs cauſed a receſs of a few days, and what was then before in embryo, in the interim grew into full maturity. The miniſter brought over perſons of a doubtful deſcription ſo ſucceſsfully, that by the time the Houſe met again, ſo many new converts were made, as to enſure the noble Lord a decided majority; ſo that, in the ſpace of a few days, influence had ſuddenly increaſed, more than it had at any former period, in the courſe of as many months; and what the friends of their country had been toiling and labouring to effect, during the preceding part of the ſeſſion, was at once demoliſhed by the magic touch of the miniſter, with great eaſe to himſelf, and, he preſumed, with infinite ſatisfaction to the perſons thus miraculouſly converted. The moment was critical; the accurſed ſyſtem which directed the affairs of this country to the very brink of ruin, was on the very point of diſſolution, when by the art and management of the noble Lord, it was eſtabliſhed upon a firmer and more permanent baſis than ever.

Lord *North* roſe with great warmth, and called Mr. Sawbridge to order; ſaid he had moſt unjuſtly and falſely accuſed *him; that* he might aſſert what he pleaſed, but he would

treat his aſſertions with the diſregard they merited. He defied him to prove, that he had employed the influence of the crown in an improper manner, or had endeavoured to influence or corrupt a ſingle individual, ſince his entrance into office.—After betraying ſome ſymptoms of being much hurt at the charge, he treated the affair in his uſual ſtrain of pleaſantry. The hon. gentleman ſaid, he was at a loſs to account for the conduct of ſeveral of the gentlemen who voted in the majority of the 6th of April. He would help him to a full anſwer, without reſorting to the cauſes which the hon. gentleman had ſo unjuſtly aſſigned. He believed, as much as the hon. gentleman, that thoſe who compoſed the majority of the 6th of April, voted agreeably to their conſciences, and upon a full conviction of the truth of the propoſition that night reſolved to be true; but ſome, upon more mature deliberation, and others from ſeeing the improper lengths it was meant to extend the effects and conſequences of thoſe reſolutions, declined to proceed any further; the former had returned to their wonted good ſenſe and confidence in government; the latter refuſed to proceed further, without knowing whither their partizans intended to lead them. Without, therefore, ſeeking the cauſe of their ſubſequent conduct, in new ſources of influence, or as operated upon by corruption, he begged the hon. gentleman to conſider, that it was much more likely that men did not think themſelves bound to act wrong in every inſtance, becauſe they had done ſo in one inſtance; and that others, who ſtill approved of the vote of the 6th of April, did not perhaps think it neceſſary to introduce a greater evil, in order to get rid of one which did not ſeem to them ſo dangerous to the ſtate in its conſequences.

Mr. *G. Rous*, after meeting ſeveral of the noble Lord's arguments in a very able and ſpirited manner, obſerved, that the noble Lord, with his uſual dexterity and addreſs, had evidently evaded the implied charge made againſt him by the hon. member, the worthy alderman, under the gallery. It was, however, of a very ſerious nature, and required another kind of anſwer than that which had been given by the noble Lord. Bluſtering, and flat contradictions, and vociferous calls to order! might anſwer purpoſes upon ſome occaſions; he had often known the noble Lord to triumph by thoſe means, but not quite ſo often as when the noble Lord had recourſe to his *forte* in the ſcience of parliamentary debate, that of turning into ridicule, and treating in a light and ludicrous *manner*, the moſt grave, important, and intereſting ſubjects. *The burning* of a town, the loſs of a province or army, did

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not, in the common and vulgar apprehenſions of mankind, furniſh a proper ſubject for a witty ſpeech. The blood of thouſands, and the waſte of millions, did not, in his opinion, furniſh a very apt theſis for humour or epigrammatic points, much leſs the loſs of at leaſt one-third of the Britiſh empire; yet, though not a very old member, he was of ſufficient ſtanding in that Houſe to ſay, that he heard thoſe ſeveral ſubjects treated in the manner alluded to; but America being at a diſtance; the fate of the captured army being long ſince decided; the millions being funded, and the blood ſpilt, now beyond the power of recovery, no harm could enſue from the noble Lord giving a vent to that witty vein which was ſo natural to him, and which he was known to poſſeſs in a very eminent degree indeed! Here the charge was perſonal to the noble Lord, and aſſumed a different ſhape; ſo different, as to forbid, in his opinion, the moſt exuberant fancy from indulging itſelf in witty declamation. What did it import? It went to accuſe the noble Lord of having corrupted members in that Houſe, in order to obtain a majority for the purpoſe of defeating the petitions of a great majority of the conſtituent body of the electors of England, and ſtill a greater majority of the people at large. If the charge was not true, why did not the noble Lord inſiſt on having the honourable gentleman's words taken down? This, he ſaid, was the regular and parliamentary mode of proceeding; not by rude and indecent contradictions in one part of his ſpeech, and by an attempt at ill-timed ridicule in another, endeavour to evade it by alternately ridiculing what the honourable gentleman had advanced, or giving it a direct unqualified contradiction, without a tittle of proof or circumſtance to ſupport it. He knew the charge to be true himſelf; and the noble Lord was conſcious, if he had put the proof of it on the honourable gentleman, that he would have made it good. The Houſe might vote as it pleaſed; but the people muſt ſee, under the circumſtances deſcribed, the real means which the noble Lord had employed to procure a majority ſubſequent to the vote of the 6th of April.

Mr. Alderman *Sawbridge* maintained, in moſt direct, manly, and unqualified terms, his former aſſertion. He was ſatisfied that the noble Lord had, during the Speaker's illneſs, influenced or corrupted ſeveral of the majority of the 6th of April; and more than that, for he was convinced that he had tampered with many. If the noble Lord was prepared to meet the charge, he dared him to take down his words; for if he did, though perhaps it might be difficult to prove the ac-

tual corruption, he was ready and fully prepared to go into the actual proofs of the tampering, or of offers having been held out to influence ſome of the members of that Houſe to vote againſt their former opinions, their perfect conviction, and the intereſts of their country.

Lord *North* made a ſhort reply; ſaid, he defied his accuſers to make any ſuch charge good againſt him; and if the honourable gentleman was ſo well informed on the ſubject, as he pretended to be, it was his buſineſs, as the accuſer, to bring the charge forward; for as the honourable gentleman had avoided any ſpecification, it was impoſſible for him to enter into a defence of his conduct till he knew the nature or circumſtances on which the accuſation was founded.

Mr. *Burke* having declared his intention of not dividing the Houſe upon any of the future clauſes in his bill, proceeded to preſs 42, inſiſting only to have the clauſes read, and negatived, ſo that he might get rid of his bill, that it ſhould be neither an eyeſore to his adverſaries, nor call for the tireſome and uſeleſs attendance of his friends. One half of the members immediately quitted the Houſe on this notice. The clauſe for allowing a certain ſum only as a ſalary to the auditor of the receipt of the exchequer, the two auditors of the impreſt, the chamberlain, clerk of the pells, clerk of the pipe, and the four tellers, in lieu of all ſalaries, perquiſites, fees, and other emoluments, after the death of the perſons who now enjoyed thoſe offices reſpectively, was then read.

Lord *North* ſaid, he did not approve of the clauſe as it ſtood now worded, but he liked the idea extremely well; he ſhould therefore wiſh to have this clauſe poſtponed, and the chairman to report progreſs, and aſk leave to ſit again.

Mr. *Burke* ſaid, his patience and his ſpirits were both exhauſted; and begged the favour of the noble Lord to be ſo kind and merciful, to put an end to his ſufferings, and negative this, as well as he had the four preceding clauſes. His plan, if adopted upon the large ſcale on which he laid it down, would have ſaved to the nation above a million per annum, and it was hardly worth his Lordſhip's while to torture him ſtill further, by keeping him under the preſſure of this unfortunate clauſe, for the trifling ſaving which would ariſe from it.

Lord *North* obſerved, that it was then within a quarter of eleven o'clock; that the gentlemen who had ſat out the whole evening were much fatigued with the multifarious buſineſs that had been brought before them; that the clauſe required ſome attention; and that as he and the hon. gentlman

man agreed in the principle, they might readily determine on the wording of the clauſe between themſelves, out of the Houſe. He added, that it could make but a difference of one day.

The friends to the bill ſaid, that the noble Lord was as well prepared now as he would be the next day. Why not alter the clauſe according to his own liking? for he might be aſſured, frame it as he might think proper, that ſide of the Houſe would make no oppoſition.

Lord *North* replied, that he had not, nor could then make up his mind upon the manner he would wiſh to have the clauſe altered, and if gentlemen were determined, he would regularly move, that the chairman do report progreſs, and deſire leave to ſit again. The other ſide inſiſting that the clauſe ſhould be diſpoſed of, the queſtion was put, and the committee divided; Ayes 68, Noes 31, to report progreſs.

The Houſe being now reſumed, Lord *North*, to the aſtoniſhment of all preſent, roſe, and moved, contrary to an intimation given early in the day, that the malt-bill be read a third time.

His own arguments, a few minutes before, were now retorted upon him; he was reminded, that gentlemen who had ſat out the whole evening, who had done ſo much buſineſs, and gone through ſuch an heap of miſcellaneous matter, who were exhauſted and tired out, ought not to be preſſed to enter into a freſh debate at ſo late an hour. If it was half after ten when the noble Lord pleaded that circumſtance ſo powerfully, as a reaſon not to go through the clauſe, it was now paſt eleven. In ſhort, after ſome ſarcaſtic obſervations, delivered in an ironical ſtrain, on the verſatility of the noble Lord's conduct, they proceeded to make ſome very ſevere reflections on his want of candour. They deſired him to recollect, that nine out of ten of the gentlemen who meant to ſpeak or vote on the bill, were gone home under an idea that it would not come on that day; and that conſequently, preſſing it in their abſence, would be no leſs unfair than ſhameful and indecent. —Mr. Robinſon got the word, during this diſcourſe, to go and count the Houſe. His report was, that there were 43 members beſides the Speaker in the Houſe.

Lord *North* again roſe, and inſiſted on going into the order of the day.

Mr. *Byng*, having likewiſe counted the Houſe, and left one of his friends on his legs ſpeaking, he and the other eleven went out.

Mr.

The members or ayes were told in, and the whole Houſe conſiſted of but 31 ayes, and not a ſingle no.

Lord *North* then moved to have the malt-bill ſtand the firſt order as yeſterday; but he was informed from the chair, that was impoſſible, as there was no Houſe, conſequently the order muſt be reſumed the next day.

May 19.

The *Recorder of London* made his promiſed motion relative to giving ſatisfaction to the people reſpecting the grievances ſet forth in their petitions. His motion was ſubſtantially this: that there be no more ſums of money granted for public ſervices till the grievances ſtated in the petitions be redreſſed. The motion was ſeconded by Mr. D. Hartley.

The Recorder was up for nearly an hour, was very able, and remarkably well heard. The point on which his motion turned was, that the bill upon the table, which ſtood the firſt order of the day (the malt-bill) being now the only tax bill which had not paſſed the Houſe, and the principal money bill of the ſeſſion, that Houſe would have no further controul over miniſters as ſoon as it ſhould paſs that Houſe; they might adviſe his Majeſty to prorogue or diſſolve the Parliament, and by that means ſtigmatize the majority of that Houſe as infamous to the lateſt poſterity. A majority of that Houſe had voted, that the influence of the crown had encreaſed, was encreaſing, and ought to be diminiſhed. They had done more; they had ſpecifically reſolved, that it was the duty of that Houſe to redreſs the grievances complained of in the petitions of the counties, cities, and boroughs of this kingdom, and had, by acknowledging that it was their duty, bound themſelves thereby to the people, and to each other, to give the petitioners relief.

But though they had hitherto neglected to perform that ſolemn engagement to the public, they had it ſtill in their power; but wait, perhaps, but for a few hours longer, and that power would be diveſted from them for ever. A diſſolution was agreed upon, on all hands, not to be very far diſtant; conſequently, the preſent Parliament would ſhortly be no more. He begged leave to explain particularly what he meant. The bill which was to be read the next in order, was the malt-bill; that once paſſed, that Houſe would loſe all controul over miniſters. The only meaſure which paſſed that Houſe towards leſſening the influence of the crown, was the contractors bill; what was the fate of it? The principle on which that bill proceeded, was denied by the Lords, who gave the moſt unequivocal proof of the reality of the influence, which

which they denied to exiſt. They put a negative on it, by which means the wiſhes of the majority of that Houſe, and the people without doors, were fruſtrated. The only means then the Houſe of Commons had left, was not to refuſe, but to ſuſpend the ſupplies, till ſome one grand effectual meaſure was carried through both Houſes, and paſſed into a law. It was the only conſtitutional mode, and had been frequently reſorted to when the other Houſe, under the influence and direction of the miniſters of the crown, had denied the people redreſs. He then entered very fully into the queſtion, and proved in a moſt able and convincing manner, the indiſpenſable neceſſity there was of taking ſome effectual ſtep for the relief of the people.

Lord *North* roſe to reply; but the queſtion being called for, the Houſe, at ſeven o'clock, divided,

Ayes 54. Noes 89.

The order of the day for the third reading of the malt-tax bill was then read, which gave riſe to three or four different debates.

Mr. *Hartley* ſpoke againſt the bill, on the idea that miniſters had broke their faith with Parliament, in having adviſed his Majeſty to aſſure Parliament, at the opening of the ſeſſion, that the great ſupplies he would be obliged to aſk from them in the courſe of the ſeſſion, would be employed in vigorous efforts againſt our foreign enemies; whereas, in the courſe of ſeveral months, not a ſingle effort, but what aroſe from mere chance or accident, had been made againſt our foreign enemies, but all our exertions had been directed againſt our American ſubjects: he, as one, therefore, could never truſt men who had ſo groſsly departed from the aſſurances they had adviſed their Sovereign to give Parliament, and which they had thus groſsly violated.

Mr. *T. Luttrell* founded his chief objection to the bill on the ground of the miſapplication of the grants of parliament. The money was moſt ſcandalouſly and ſhamefully waſted, or totally with-held; waſted and laviſhed in corrupting the repreſentatives of the people, and in purchaſing venal boroughs; in fine, in ſapping the foundations of the conſtitution—Withheld, in many inſtances, particularly in the naval department. This, he ſaid, was a matter that called for ſerious enquiry, for if not ſpeedily put a ſtop to, it might be productive of the moſt ſerious conſequences. It had hitherto only produced two or three trifling mutinies; but if Parliament did not interfere, probably the contagion would extend itſelf through the whole fleet.

He

He inſtanced the late mutiny at Spithead. Many of the ſeamen, he was well informed, who entered at the commencement of the war, had never received a ſhilling of their wages; ſome of them had three years pay due to them. They were ſhifted over, from ſhip to ſhip; and thus, while themſelves were naked on board, and in want of every neceſſary ſuitable to their ſituation, and their wives and children ſtarving at home, or left upon the pariſh as a burden, a few individuals were amaſſing immenſe fortunes, earned by the labour, blood, and lives of the oppreſſed, and much-to-be-pitied ſeamen.

The *Recorder of London* oppoſed the bill upon the ſame ground on which he ſupported his motion. He did not riſe, he ſaid, to put an abſolute negative; the war muſt be carried on, and a proviſion made for its maintenance. What he wiſhed was, to ſuſpend the tax, or poſtpone it till the people had got ſatisfaction reſpecting the complaints contained in their petitions. He at length moved, "that the bill be read a third time on that day fortnight." Upon this queſtion the Houſe divided,

Ayes 43. Noes 103.

The bill was then read a third time. Sir *George Savile* roſe, and gave his reaſons at large againſt the principle, and ſeveral of the propoſitions which it contained. A motion was made to ſubſtitute the word *pay* for *charge*; on this queſtion the Houſe divided,

Ayes 29. Noes 105.

After upwards of three hours debate the queſtion was put, "that this bill do now paſs;" this brought on another debate and diviſion, Ayes 136, Noes 56. The bill was ordered to the Lords, and the Houſe roſe about a quarter before ten o'clock, and adjourned to the 22d.

May 22.

Colonel *Barré* moved, 1. "That it is the opinion of this Houſe, that the ſum of 1,588,617l. 2s. is ſtated in the papers preſented to this Houſe, to have been applied to the ſervice of his Majeſty's forces in North America, from the 31ſt of January, 1779, to the 1ſt of Feb. 1780; of which ſum no account whatſoever has been laid before Parliament. The ſaid ſum being over and above the pay, cloathing, proviſions, with the expence of freight and armament attending them, ordnance, tranſport ſervice, oats, blankets, expence of Indians, pay of certain general and general ſtaff officers, pay of ſeveral commiſſaries, and other allowances for the ſaid forces."

forces."—Upon the queſtion being put it paſſed in the negative without a diviſion.

2. "That it is the opinion of this Houſe, that the ſum of 3,796,543l. has been applied to the ſervice of his Majeſty's land forces in North America, in the years 1775, 1776, 1777, and 1778, of which ſum no ſatisfaction has been laid before Parliament. The ſaid ſum being over and above the ſums ſtated in the accounts for pay, cloathing, proviſions, with the expence of freight and armament attending them; ordnance, tranſport ſervice, oats, blankets, expence of Indians, pay of certain general and ſtaff officers, pay of ſeveral commiſſaries, rum, and other allowances for the ſaid forces." This likewiſe paſſed in the negative with a diviſion.

3. "That the practice of incurring and paying extraordinaries of the army, to ſo large an amount, without either explanation or ſatisfactory account, and without authority of Parliament, is not warranted by precedent, is a dangerous invaſion of the rights of this Houſe, and one of the groſs abuſes in the expenditure of the public money complained of in the petitions of the people."

After a ſhort debate the Houſe divided,

Ayes 24. Noes 44.

4. "That the creation of new, unneceſſary, or ſinecure offices in the army, with conſiderable appointments, is a profuſion of the public money, and the more alarming, as it tends to encreaſe the unconſtitutional influence of the crown." Paſſed in the negative without a diviſion.

The Houſe was afterwards put into a committee of ſupply on the extraordinaries of the army.

The firſt reſolution propoſed was, "That it is the opinion of this committee, that a ſum not exceeding two millions, four hundred thouſand, and eighteen hundred pounds, be granted to his Majeſty, in order to defray the expences of the extraordinaries of the army for the year 1780."

This gave riſe to a debate, in which Mr. Rigby was called upon to explain how it happened that ſuch large ſums remained in the hands of the paymaſter-general at the end of every year.

Mr. *Rigby* ſaid, that though large ſums were apparently in the hands of the paymaſter, at the end of every year, in fact, the money was diſburſed, by being borrowed for other ſervices, which were paid in advance. He mentioned that he and the late Mr. Grenville had frequently conferred together on the ſubject, and endeavoured, by every means in their power, to leſſen the expences of the public, as far as regarded

garded paying the army, and bringing the extraordinaries to a certainty as nearly as poſſible; that it was idle to talk of reducing them to preciſe eſtimates, becauſe from the nature of the ſervice, it was impracticable. As the caſe ſtood, it reſted in a great meaſure on the diſcretion and good management of the commanders in chief abroad; that when they drew, the treaſury iſſued warrants, which were his authorities for large ſums, and the ſecretary of war's drafts for ſmaller ones; that he had no other vouchers, and was, as all his predeceſſors had been, without any other ſecurity than a reliance on the juſtice of the Houſe.

Sir *George Yongé* moved by way of amendment, to leave out the words "two millions," and inſert "one million."

May 23.

The Houſe in committee on the bill "to explain and amend the ſeveral acts for ſecuring the freedom of Parliament, by farther extending the qualification for Members to ſit in the Houſe of Commons, and for rendering the ſame more effectual;"

Hon. *James Luttrell* obſerved, that an act founded on principles derogatory to the freedom of the people's choice of repreſentatives, could not pretend to promote the freedom of Parliament; that if property alone made friends to the liberties or purſe of the ſubject, the Houſe of Lords was more free than the Commons; but it proved the experiment to be abſurd; for no man could diſpute the enormous influence of the crown in that ariſtocratic aſſembly. The act of George the Second, relative to qualifications, was carried by ſurpriſe at the latter end of a ſeſſions to court the landed intereſt, and its inefficacy had been the only reaſon he could trace why ſuch an act had been ſuffered to exiſt. It was unconſtitutional, becauſe if the Houſe of Commons could at their pleaſure raiſe qualifications to hold ſeats, they might either totally aboliſh Parliaments by requiring the 558 members to have 15,000l. a year a piece, or at leaſt raiſe it, ſo as to confine the people to a choice of repreſentatives amongſt a few of the moſt opulent families in the kingdom, which would amount to an ariſtocracy. The queſtion therefore appeared to him, whether we ſhould render more effectual an act of Parliament which ought to be repealed.

Thoſe who thought that evading that act had produced ill conſequences, ſhould bring ſome proof of the fact. It ſhould be proved, that the great majorities of Parliament which had plunged this country into a war with America, and ſuffered the waſte of ſo much public treaſure, where a majority com-

poſed of men, who, evading the Act of Queen Anne and George the Second, had come into Parliament in needy circumſtances, and that their indigence had occaſioned them to vote an American war derogatory to their conſcience, and that the miniſter had been followed merely to gain a livelihood. It ſhould be proved, that at the ſame time all the Lords' eldeſt ſons, the members for the univerſities, all the Scotch members, all members of high rank and landed property in Parliament, had virtuouſly endeavoured to oppoſe all theſe ruinous meaſures, and, proudly, with their independent fortunes, ſpurned at the influence of the crown, and ſhewn themſelves above temptation. If that could be proved (the very reverſe of which muſt ſtare every man in the face) then the honourable member's bill might boaſt of a reformation of the Houſe; then he might ſay, make the next Parliament men of landed property, and the liberties and purſe of the ſubject will be better ſecured; then he might lay the cauſe of all the grievances complained of by the people of England upon members of that Houſe, who he preſumes to have evaded the act he means to render more effectual. But the fact was proved over and over again, that the influence of the crown had been, and ever would be, more powerful among courtiers and men of the firſt rank and fortune, than with thoſe who were nearer the intereſts of the people at large.

If the principle of the bill was approved by any, it was upon a doctrine over and over again exploded in Parliament, that the landed intereſt was the only conſtitutional mode of repreſentation.

It had been admitted by all men, and all parties, that officers were fit repreſentatives of the people; that their profeſſional information was of uſe; that they ſhould in a free country hold themſelves to be citizens and ſervants of the ſtate, not vaſſals of the crown. It had likewiſe been admitted, that monied men, who pay to every tax, were proper judges of taxation, and it muſt be admitted that the houſe tax, and all the taxes which monied men pay, took off a burthen from the landed property, as it aſſiſted to raiſe the ſupplies of the war. It had been admitted, that gentlemen who come from the Eaſt and Weſt-Indies, dependencies of Great Britain, to ſpend their income in England, had as great a ſtake in the ſucceſs of our wars, in the exiſtence of our liberties, and in the taxes his fortune muſt largely contribute to, as any gentleman of 300l. a year landed eſtate. It muſt be admitted, that money was as neceſſary to raiſe ſupplies as land; that without

without a market the produce of the ſoil would not enrich the landlord, and that we cannot ſubſcribe to the loan in kine.

The bill was therefore ill-founded if it reſted on a principle that the landed intereſt would compoſe the moſt proper, the moſt wiſe and well-informed Parliament, or that an independence of 300l. a year in land, would prevent them from looking up to titles, ribbons, high offices, or even places and penſions. He thought it a much ſounder principle to lay down, that a free Parliament can alone exiſt by a free choice in the people to chuſe men for their abilities, integrity, love of liberty and uſeful knowledge, to conduct their buſineſs, and ſupport their rights in Parliament.

It had been urged that it would prevent ſham qualifications; but it was not adequate to that purpoſe: for the qualifications for Scotland were to remain at a third leſs than a qualification for England: and ſince Scotch members tax Engliſh ſubjects, why were they not to be equally qualified? Theirs would therefore be, in the ſpirit and ſenſe of our laws, a ſham qualification.

The Houſe of Lords contained ſome Peers without eſtates, and yet their eldeſt ſons were to be eligible to ſit in the Houſe of Commons; and that was a ſham qualification. The bill therefore was undoubtedly a partial proſecution of profeſſional men, annuitants upon landed ſecurity, monied men, and perſons who reſide in this country, and ſpend the whole income of their eſtates, ſituated in parts of the Britiſh empire though not in England.

The bill was indeed favourable to Weſtminſter-hall: for it laid a foundation for litigious law-ſuits [their being no fine for a falſe accuſation] and Weſtminſter-hall was to vacate ſeats in the Houſe of Commons, if the members' qualification was not to the jury's liking.

The bill had another very extraordinary effect, becauſe thoſe who ſupported it had earneſtly oppoſed a propoſition made relative to the Chiltern Hundreds, to enable members to vacate their own ſeats: and this qualification bill puts it in the power of any member to vacate his ſeat, by diſpoſing of five pounds a year out of his regiſtered qualification, and enables him to be choſen for any other place, by re-purchaſing the ſame five pounds a year.

Though an annuity of 300l. a year upon landed ſecurity was a qualification, the bill attempted to make it liable to very expenſive law ſuits; a man out of Parliament was not obliged to produce all the writings of his eſtate, becauſe he had ſold an annuity, and it certainly might lead a man into difficulties

ties in other law-ſuits, to produce all the ſettlements under which he claims his eſtate.

The bill affected the virtue of reformation, while it was ſtriking at the root of the conſtitution: The grievances of the people did not ariſe out of an evaſion of the act of Queen Anne, and if they have not petitioned to limit more effectually their choice of repreſentatives, Mr. Grenville's bill was the faireſt mode of trying the legality of a Member's ſeat in Parliament, and Weſtminſter-hall ought not to interfere. The Houſe of Lords and Commons would become equally ariſtocratical if this bill paſſed; for if the principle of the bill is once admitted, it is eaſy to add to qualifications, and only admit Lords' eldeſt ſons, and a few great families, to be eligible to ſit in Parliament. Mr. Luttrell therefore truſted that on the report it would be rejected.

After a ſhort debate, the Houſe divided, for the bill 89, againſt it 28.

May 24.

Sir *Thomas Clavering* moved, for leave to bring in his bill for empowering juſtices of the peace to make a proper proviſion for the wives and children of men impreſſed into his Majeſty's naval ſervice.

Lord Ongley, Sir Herbert Mackworth and Mr. Whitworth ſeverally objected to the bill, on the ground that it would open a door to the like requeſt in favour of the land ſervice, and tend greatly to diſcourage volunteers.

Lord Nugent and Sir Matthew White Ridley were of different opinions, and thought the bill of a very ſalutary tendency.

The Houſe then divided on the motion, 28 for it, 36 againſt it.

In a committee of ways and means, Lord *North* ſaid, that as many objections had been made to the laying an additional tax on coals, he had ceaſed to think of it, and would, in lieu thereof, propoſe an additional duty on ſweets or low-made wines for ſale, of ſix-pence per barrel, which would raiſe the ſum of 9875l. He had alſo to propoſe an additional duty of 1d. per pound on all ſtarch and hair powder. This tax he thought extremely reaſonable, as the preſent tax upon thoſe articles of 2d. a pound were laid ſo long ago as the 10th and 12th of Queen Anne, and had ſtood at that impoſt from thoſe periods of time. This laſt duty, his Lordſhip ſaid, would produce upwards of 19,000l. as it at preſent yielded an annual amount of 38,342l. thoſe ſums put together, his Lordſhip farther obſerved, would very well make up the deficiency

occaſioned by relinquiſhing the tax propoſed to have been laid upon coals. He obſerved, that the laying an additional duty on coals, would unqueſtionably leſſen the export, and that was the reaſon for his recurring to other duties.

The ſeveral new taxes were then agreed to without a diviſion.

Governor *Pownall* moved for leave to bring in a bill to impower his Majeſty to make peace, truce, or convention with America. He ſaid that there were at this time two factions in America, the one a French faction, the other an Engliſh faction, and that as the Engliſh faction predominated, he flattered himſelf a proper conduct on our part might lead to a ſpeedy and happy conciliation.

Mr. *Eden* objected wholly to the idea of making any propoſition for peace, as there was every reaſon to expect that America would ſoon be glad to come to us with ſuch overtures as we might accept of with honour to ourſelves.

Lord *Nugent* ſpoke in favour of the bill, and ſaid it was highly proper the King ſhould have it in his power to make peace with America; for when they once knew his Majeſty had that power, there was little doubt of their coming to us with terms, and ſuch as we might cloſe with. For his part, he believed in his ſoul and conſcience, that had the King been impowered to have made peace with the Americans at the time they entered into a treaty with France, the war would have been at this time very happily ended.

Lord North ſpoke againſt the motion, as did Lord George Germaine. The Houſe divided, for the queſtion 50, againſt it 113.

The following is a copy of the bill.

In order to remove all doubts or diſabilities, which may prevent, obſtruct or delay the happy work of peace, may it pleaſe your Majeſty, that it may be declared and enacted, and it is hereby declared and enacted by, &c. &c.

That his Majeſty is impowered to make convention or truce, or to conclude a peace with the inhabitants of New-Hampſhire, Maſſachuſet's Bay, Rhode Iſland, and Providence Plantation, Connecticut, New-York, New Jerſey, Pennſylvania, the three Delaware counties, Maryland, Virginia, North Carolina, and South Carolina, in North America, convened in Congreſs, or in any other aſſembly or aſſemblies, or with any perſon or perſons authorized to act for and in behalf of the ſame, in ſuch form and manner as he, by virtue of the prerogative of his crown, hath power to do in all other caſes, and on ſuch terms and conditions as in the courſe of events

events ſhall become convenient and neceſſary for the honour and welfare of his Majeſty and his people.

And in order thereto, be it enacted by the authority aforeſaid, that from and after the paſſing of this act, it ſhall and may be lawful for his Majeſty to appoint ſuch perſon or perſons [ſubjects of Great-Britain] as his Majeſty in his wiſdom ſhall think fit, and fully to authorize and empower the ſame to treat, conſult, and agree with the ſaid Americans, or any part of them, or with any perſon or perſons acting for and in their behalf, to the ſaid purpoſe of convention, truce, or peace.

And be it further enacted, that from and after the paſſing of this act, it ſhall and may be lawful for his Majeſty to grant ſafe conduct to any ſuch perſon or perſons whatſoever, as his Majeſty ſhall ſee cauſe and judge proper to receive on the ground of treaty for ſuch convention, truce, or peace, in like manner as he is by divers ancient ſtatutes impowered to do in the caſes therein ſpecified.

May 25.

Private buſineſs. No debate.

May 26.

Lord *George Gordon* moved, "That there be laid before this Houſe, a copy of the public letter from Sir George Brydges Rodney to the Admiralty, dated off Port Royal Martinique, April 26, 1780, relative to the engagement with the French fleet."

Lord George ſtated that he did this in juſtice to Sir George Rodney, to the officers ſerving under him, and to the nation; that the extracts, as publiſhed in the Gazette, appeared to every man who had any naval knowledge, to give a repreſentation which could not be juſt or true. He went through ſeveral particulars, and called on the admirals preſent to aſſiſt him.

The motion was objected to by Mr. *Dempſter*, who thought it dangerous to take away from the diſcretion very properly repoſed in the naval offices, to publiſh only what ſeemed expedient and ſafe, whilſt great operations are depending.

Mr. *Fox* ſupported the motion, and ſaid it was a part of the miniſterial ſyſtem to ruin the characters of officers ſerving their country. He obſerved on that expreſſion in the Gazette, which gives ſo much credit to the French officers, that it implied a moſt diſgraceful idea of the conduct of the Britiſh fleet. He animadverted alſo with ſome ſeverity on General Vaughan's letter, the publication of which, he ſaid, made a part of the ſame ſyſtem; and, he added, that General

Vaughan's expreſſion reſpecting the example ſhewn by Sir George Rodney, implied the ſevereſt cenſure of the behaviour of every other officer ſerving under Sir George.

Mr. *Pulteney* ſupported the motion, but took occaſion, in anſwer to Mr. Fox, to refer to what he had formerly ſaid, of the daſtardly conduct of miniſters in not employing Sir Hugh Palliſer; and he called on Admiral Pigot to go into that enquiry, as he had pledged himſelf to do.

This called up Admiral *Pigot*, who admitted his having ſo pledged himſelf, and appointed Friday next (the firſt vacant day) for that enquiry.

The *Lord Advocate of Scotland* ſpoke of the impropriety of giving the paſſages to the public, which it had been thought expedient to ſuppreſs; more eſpecially as trials might be depending which ought not to be prejudged. He made ſome remarks alſo on the inexpediency of bringing again into diſcuſſion the proceeding of the courts martial on Admirals Keppel and Palliſer.

Admiral *Keppel* expreſſed himſelf diſſatisfied with ſome expreſſion dropt by the learned Lord; he ſpoke for the motion, and alſo wiſhed for many other communications from the admiralty, that the nation might better know what their fleets are doing, and how they are employed.

Lord *North* ſaid a few words againſt the motion; he particularly denied that any thing had been kept back which any officer could wiſh to have had publiſhed. And in referring to the ſentence on Sir Hugh Palliſer, he perſiſted in what he formerly ſaid, that it was no conviction of malice, but implied only a charge which had never been diſcuſſed.

Mr. *Dunning* ſaid, if Sir Hugh Palliſer's ſpeaking in his own defence, and calling his own witneſſes, was not a diſcuſſion, he did not know what was.

Mr. *Penton* and Sir Richard Sutton ſpoke againſt the motion, as calculated to produce communications which hurt the public ſervice in various ways, and could do no good.

Mr. *Rous* ſpoke for the motion, and ſaid that the nation was entitled to it.

Lord *George Gordon* added a few words to the debate, and compared Lord Sandwich, Lord North, and the Lord Advocate, to plague, peſtilence, and ſtarvation.

The Houſe then divided, Ayes 81. Noes 160.

The Houſe afterwards was put into a committee on the further conſideration of the public petitions; the Speaker left the chair, and

Mr. Huſſey having taken his ſeat at the table,

Mr.

Mr. *Dunning* roſe, and deſired that the reſolutions come to by the committee of the whole Houſe on the petitions, on Monday the 10th of April, be read.

They were read accordingly, and were as follows:

"That it is the opinion of this committee, that for the better preſerving the independence of Parliament, and obviating any ſuſpicion of its purity, exact accounts be laid before this Houſe, on the firſt day of every ſeſſion, of ſuch ſum or ſums of money as have been paid in the courſe of the preceding year, to members of Parliament, out of the produce of the civil liſt, or any other part of the public revenue, to them, to their uſe, or in truſt for them, or on any other account, ſpecifying when, or on what account, ſuch money was paid."

"That it is the opinion of this committee, that it is incompatible with the independence of Parliament, that perſons holding the offices of treaſurer of the chamber, treaſurer of the houſehold, cofferer of the houſehold and his clerk, comptroller of the houſehold and his clerk, maſter of the houſehold, and the clerk of the green cloth, be entitled to hold ſeats in this Houſe."

Mr. Dunning then in a very maſterly ſpeech, enforced the neceſſity of reporting theſe reſolutions, and concluded with a motion to that purpoſe, at the ſame time reminding ſuch members as had originally voted for thoſe reſolutions, that they ſtood pledged to vote for his preſent motion. This gave riſe to a warm debate, in which Mr. Turner, Mr. Fox, Mr. Rigby, Mr. Byng, Lord North, and others ſpoke. At length the Houſe divided on the queſtion for the chairman's leaving the chair, Ayes, 177; Noes, 134.

Mr. *Fox* was warm, in treating thoſe county members with great ſeverity, who had made a part of the 233 on the 6th of April, and voted with miniſtry ſince.

Mr. *Rigby* again called oppoſition a rope of ſand.

Mr. *Turner* ſaid, he did not at all wonder at the right honourable gentleman's approving placemen; that fellow-feeling made a man wonderous kind. Mr. Turner aſcribed the American war entirely to placemen.

After ſome converſation between Mr. Powis, Sir George Savile, the Lord Advocate, and others, the Lord Advocate moved to adjourn to the 30th, which at 12 o'clock was agreed to.

Lord *George Gordon* gave notice to the Houſe, that on Friday next, the ſecond of June, he ſhould have the honour of preſenting to their conſideration the petition of the Pro-

teſtant Aſſociation of London, Weſtminſter, and Southwark, praying the repeal of the late Act in favour of Popery in England. He acquainted the Houſe, that the whole Aſſociation propoſed to aſſemble in St. George's Fields, and to accompany their petition to the Houſe in the moſt humble, decent, and reſpectful manner. His Lordſhip then preſented a petition from his Majeſty's loyal Proteſtant ſubjects of High Wycomb, in Buckinghamſhire, for the repeal of the ſame Popiſh bill. It was ſigned by the mayor, aldermen, burgeſſes, recorder, church-wardens, overſeers, and the other Proteſtant inhabitants. After an introductory diſcourſe ſuitable to the occaſion, he moved, "that this petition be now read."

Mr. *Polhill* ſeconded Lord George Gordon's motion, and the petition was ordered to lie on the table.

May 31.

Counſel heard on bone lace bill.

June 1.

Lord *North* brought the following meſſage from the King.

"George Rex,

"That his Majeſty, relying on the experienced zeal and affection of his faithful Commons, and conſidering that in this critical juncture, emergencies may ariſe that may be of the utmoſt importance, and may be attended with the moſt dangerous conſequences, if proper means ſhould be not immediately applied to prevent or defeat them; is deſirous that this Houſe will enable him to defray any expences incurred, or to be incurred on account of military or ordnance ſervices for the ſervice of the year 1780, and to take all ſuch meaſures as the exigency of affairs may require, G. R."

Lord *North* moved, "That the meſſage be referred to a committee of the whole Houſe."

Lord *George Gordon* declared, that he could not but oppoſe in every ſtage any new grant of ſupplies to the King, till his Majeſty and his ſervants gave complete redreſs to the grievances of the people, both as to the late innovations in favour of Popery, as well as to the ſhameful abuſes complained of in the expenditure of public money.

The Houſe divided without further debate.

Ayes 39.	Noes 19.
Tellers for Ayes.	Tellers for Noes.
Mr. De Grey,	Ld. Geo. Gordon,
Mr. Ord.	Sir Geo. Yonge.

The

The Houſe went into a committee on the bill for appointing commiſſioners to inſpect the public accounts. The name of Mr. Anguiſh brought on a debate; Colonel *Barré* objected to him as highly improper, ſaid his time was fully employed already as maſter in chancery, accomptant general, and meſſenger of the Houſe of Peers. After a few other obſervations the Houſe divided,

Ayes 79. Noes 32.

The name of Mr. Pechell, another maſter in chancery, was next propoſed as a commiſſioner; ſimilar objections were uſed againſt him.

The other names propoſed by his Lordſhip as commiſſioners, were Robert Pigot, Eſq. barriſter; Richard Neeve, Eſq. merchant; Samuel Beercroft, Eſq. and James Shilling, Eſq.

Committee divided on motion of adjournment.

Ayes 44. Noes 103.

Went through the bill.—The bill to continue in force for one year, to commence from the 5th of July.

Roſe at one.

June 2.

This day Lord *George Gordon* preſented the petition from the Proteſtant Aſſociation. Above ſixty thouſand of the petitioners accompanied his Lordſhip to the lobby of the Houſe.

Lord George Gordon ſaid, he had before him a petition, ſigned by near one hundred and twenty thouſand of his Majeſty's Proteſtant ſubjects, praying for a repeal of the act paſſed the laſt ſeſſion in favour of Roman Catholics. His Lordſhip then moved to have the ſaid petition brought up. Mr. Alderman Bull ſeconded the motion, and leave was given accordingly.

Lord George Gordon having brought up the petition, his Lordſhip moved to have it taken into immediate conſideration, and was again ſeconded by Mr. Alderman Bull.

After ſome debate, the Houſe divided, when there appeared only ſix for the queſtion.

The petition was then ordered to be taken into conſideration on the 6th.

His Lordſhip afterwards appeared in the lobby, to acquaint the petitioners with the fate of their petition. He told them that they had a gracious Sovereign, who would undoubtedly ſend private directions to the miniſter to enforce

the prayer of the petition, when he ſhould be informed of the alarm the bill complained of had given; though he aſſured them no relief was to be expected from the Houſe. After his Lordſhip had concluded, the reverend gentleman who officiates as chaplain to the Houſe, attempted to win upon the aſſociators to part, and loudly told the noble Lord who had ſpoken before him, that all the effuſion of blood that ſhould be ſpilt that day would be charged to his account.

The aſſociators underſtanding the conſideration of their petition was poſtponed, grew extremely riotous, and much diſorder enſued.

At nine o'clock a large party of the foot guards, and a troop of horſe, with Juſtice Wright and Juſtice Addington, came down to the Houſe, and peace and good order was ſoon after reſtored.

At eleven o'clock the Houſe broke up and adjourned to the 6th.

June 6.

Colonel *Herbert* mentioned the preſent unhappy diſturbances, and after deſcanting upon them ſome time, hinted at the expulſion of Lord George Gordon; but the Houſe here ſhewed the ſtrongeſt marks of diſlike to the idea; it dropt: but Colonel Herbert took notice that his Lordſhip had a blue cockade in his hat, upon which he remarked with ſome ſeverity, ſaying, that if he would not take it out, he would go acroſs the Houſe and do it: upon which Lord George took his cockade out of his hat and put it in his pocket.

The Houſe was in a great deal of confuſion, and though there was ſome converſation, it was of a very deſultory nature.

Mr. *Burke* thought the Houſe and all people ſhould be unanimous; that the people, who were friends to order and good government, ſhould aſſociate in defence of themſelves.

Mr. *Fox* ſaid he was equally a friend to order, but could not ſupport government, becauſe the preſent miniſters were acting upon a ſyſtem, that however a man might wiſh well to ſociety, he could not ſupport them, for they had diſſolved all the bands of ſociety, and had diſgraced every one who had acted with or under them.

Sir *George Savile* thanked them for the uſe of the military in protecting his houſe.

Mr.

Mr. *Buller* moved, and Sir *James Laroche* ſeconded the three following reſolutions, which were unanimo u agreed to.

Firſt, " That it is a high breach of the privilege of the members of this Houſe to interrupt them from giving their attendance therein, or obſtructing the public buſineſs of Parliament.

Second, " That an humble addreſs be preſented to his Majeſty, praying that his Majeſty would be graciouſly pleaſed to order the ſeveral miniſters who have ſuffered in their own property, or the chapels of their reſpective courts, through the late outrages committed by the Proteſtant aſſociators, to be reimburſed the amount of the damages they have received, as alſo the loſſes of ſuch individuals as may have ſuffered on the occaſion.

Thirdly, " That the attorney general be inſtructed to direct a proſecution againſt the perſons found to have occaſioned or aided and abetted the late diſturbances."

Lord *North* then moved the following reſolution, which was alſo unanimouſly agreed to.

" Reſolved, That this Houſe will, as ſoon as the tumults ſubſide that are now ſubſiſting, proceed immediately to the due conſideration of the ſeveral petitions preſented to this Houſe from many of his Majeſty's Proteſtant ſubjects, and will take the ſame into their ſerious deliberation."

The Houſe then adjourned to the 8th.

June 8.

The Houſe aſſembled very early, and the Speaker having told ſuch members as were preſent, that it would be impoſſible for the Houſe to exerciſe its legiſlative functions, while the city of Weſtminſter was under martial law, the Lord Advocate moved, " that the Houſe be adjourned till Monday ſe'nnight, June 19." Agreed to.

June 19.

As ſoon as the commons were returned from the Houſe of Lords, the King's ſpeech was read.

Lord *Beauchamp* moved an addreſs, which, as uſual, was an echo to the ſpeech. He expatiated on the violences committed by the mob, and the neceſſity the King was under of putting a ſtop to them by the exertion of that power with which he was entruſted by the conſtitution. He did not believe that the Proteſtant aſſociators had intended to commit the outrages that had been committed.

Sir

Sir *Philip Jennings Clerke* ſaid, he could not approve entirely of the conduct of thoſe in power, with regard to the King's Bench priſon, which might have been preſerved from the flames, had due attention been paid to the intelligence which he gave to Lord Amherſt, and others. He had given them warning of what was intended in full time for the ſafety both of the King's Bench, and Surry Bridewell. He had gone to the King's Bench in the morning, and was told by the marſhal, (who was moving his goods) that the priſon was to be burnt that night—and that a clerk of Mr. Thrale's told him, that their houſe would be burnt that night, unleſs he could procure a guard for its protection. Theſe things he told to Lord Amherſt, and other Lords, and alſo to the Secretary at War, at twelve o'clock in the forenoon, and yet no guard was ſent till nine o'clock in the evening, which juſt came in time to ſave Mr. Thrale's houſe.

Mr. *Wilkes* ſaid, that if proper care had been taken in the city by the firſt magiſtrate, the miſchiefs done there might have been prevented.

Mr. *Townſhend* ſaid, that if proper care had been taken in time, the miſchief that had been done might have been prevented. He aſked, why no care was taken to preſerve the ambaſſador's chapel? Hoped the private loſſes of individuals would be made up to them by that government, whoſe duty it was to have protected their property.

Mr. *Fox* aſcribed all the diſaſters that had happened, to the ſupineneſs of the magiſtrates.

The addreſs was agreed to.

Mr. *Sawbridge* preſented a petition from the city, praying for a repeal of the bill granting relief and indulgence to Papiſts.

Mr. *Wilkes* oppoſed the petition. It was procured clandeſtinely. It was moved in common council, after moſt of the members, in the belief that all buſineſs was over, had gone home. Alderman Bull had taken no pains to quell the rioters; but had, on the contrary, ſuffered all the conſtables of his ward to wear the enſigns of riot in their hats, and that he went from the Houſe of Commons, arm in arm, with the great inſtigator of the tumults, meaning Lord George Gordon.

Mr. *Bull* ſaid, it was true the conſtables of his ward had worn blue cockades, but he had made four of them take them out. The petition was preſented.

Lord

Lord *North* ſaid, "I am commanded by his Majeſty to acquaint this Houſe, that his Majeſty has cauſed the right honourable Lord George Gordon, a member of this Houſe, to be apprehended and committed for high treaſon."

A motion was then made, "That an humble addreſs be preſented to his Majeſty, to return his Majeſty the thanks of this Houſe, for communicating the reaſons for which the right honourable the Lord George Gordon, a member of this Houſe, was apprehended and committed." The ſame was ordered to be preſented to his Majeſty by ſuch of the members as were privy counſellors.

The Houſe reſolved into a committee of the whole Houſe, on the petitions againſt the act of the 18th of his preſent Majeſty, for repealing the act of 11th and 12th of King William III. impoſing penalties on the Papiſts, when, Mr. Ellis being voted to the chair, Lord Beauchamp began a ſpeech, which it was underſtood was to be introductory to certain declarations reſpecting the act in queſtion.

Sir *Joſeph Mawbey* ſuddenly roſe to order, and ſaid, that he had heard his Lordſhip meant to offer to the Houſe a ſet of reſolutions, uſeleſs and unneceſſary, and ſome of them ridiculous; aſſerting truiſms, and that black was not white, which all the world knew already; that he therefore ſubmitted it to the Houſe, whether the more regular and proper way would not be to go into the proof of ſuch allegations as were contained in the reſpective petitions; he wiſhed it the rather, becauſe he had juſt ſeen ſome of his conſtituents in the lobby, for the firſt time on this buſineſs, who had authoriſed him to inform the Houſe, that they were ready with evidence in ſupport of ſuch allegations, to prove the increaſe of Popiſh ſchools, ſeminaries, and chapels, and in particular to prove, that a Popiſh chapel, which before the act would hold 150 or 200 perſons, had been ſo increaſed as to receive 3000, and that they could prove 2000 perſons had been aſſembled at a time:—and he was going on, when he was called to order by

Mr. *Montagu*, who contended, that Lord Beauchamp was firſt pointed to, and therefore had a right to proceed without interruption.

Lord

Lord *Beauchamp* inſiſted upon his right to proceed, as the petitions did not contain a word of deſire of being heard by themſelves or counſel.

Sir *Joſeph Mawbey* contended, he was in order to ſubmit to the Houſe his objections to the manner of proceeding, though it was true, that no deſire is expreſſed in the petitions of being heard by themſelves or counſel, yet they contained ſeveral allegations of fact, and that he thought thoſe facts ought to be proved; the petitioners themſelves were ready to prove them, and unleſs the truth of the allegations was admitted univerſally, he thought evidence ought to be called in.

Sir *George Saville* ſaid, he was fully of opinion an opportunity ſhould be given, at ſome time or other, at leaſt, to prove the facts; for if it was true that ſchools and ſeminaries had increaſed, he thought ſome ſteps ſhould be taken about them.

Lord *Beauchamp* then made a ſpeech of conſiderable length; ſtated the pains which had been taken to miſrepreſent the act in queſtion: the pulpit had been employed, and miniſters, forgetting their Chriſtian character, had preached againſt moderation. The extreme tenderneſs of the Houſe and readineſs to receive even ill-founded complaints, had led it to accept the petitions of 85 ſocieties at Glaſgow, though the noble Lord who repreſented that city had declared he knew nothing of ſuch ſocieties; that, in truth, they were no other than little alehouſe clubs: that the petitioners had ſtated, they had no opportunity of reſiſting the bill in its progreſs through the Houſe; that, indeed, the propoſition for the relief of the cruel reſtrictions and heavy penalties they were ſubjected to, had met with little or no oppoſition, and therefore its progreſs through the Houſe had been quick, as is uſual in bills unoppoſed: that when it was thought proper to apply for relief, the head of the church had been conſulted, who had no objection to it: that the act of King William had been obtained againſt the wiſhes of that King, and he quoted Biſhop Burnet's account thereof: that the repeal had laid the foundation of toleration in Ireland; that civil and religious liberty go together; that the bill, laying a foundation for the acquiſition of landed property, ought to give no alarm; the Papiſts were double taxed to the land tax: that in a ſubſequent ſeſſion he had moved for a repeal of ſuch double tax, which he thought improper, though he had not ſucceeded.

That

That the complaint about ſchools and ſeminaries was ill-founded; that the two principal popiſh ſchools would not receive the children of Proteſtants; but if ſuch proceedings really exiſt in any conſiderable degree, it may be proper to make a new law. He could not ſee how Proteſtants, as ſtated in the petition, were in danger of incurring the guilt of perjury, any more than by toleration of Quakers; and he did not think it right to call upon the Catholic to renounce the ſpirituals of his religion, after he had taken an oath to the ſtate. He then read five reſolutions, and moved the firſt.

Mr. *Ambler* ſtated that he had originally objected to the bill; he was a friend to toleration, and averſe to all perſecution, but he thought the bill went too far; popery ought to be guarded againſt; the inhumanity of permitting a ſon to deprive a father of his eſtate on the ſcore of religion ought not to be enforced. The courts of law, judges, juries, and counſel on both ſides, always endeavoured to prevent ſuch perſecution, and relaxed the law as much as poſſible; but he thought they ought not to purchaſe more lands than they had already; they might veſt their money in the ſtocks, and in mortgages, and they ought not to be permitted to open ſchools. Popery was intolerant, and he ſhould therefore heartily be for a repeal, in part at leaſt, of the late act; and he thought ſome enquiry ought to have been made into the riots at Edinburgh.

Lord *North* approved of the act, though he was not the original mover of it. He would attend to petitions, but would not give way to them when made in ſuch a manner, and after ſuch violences, becauſe it would give encouragement to future claims; he would decide on the bill on its own merits: it had been miſrepreſented; it was not likely to bring on a dangerous toleration, much leſs an eſtabliſhment of popery. Could any man think impriſonment for life proper for ſaying maſs? And yet Malony, an Iriſh prieſt, had been ſo ſentenced, who had not gone about making proſelytes; he had recommended it to the King to pardon him, and he was releaſed after lying in priſon a year and a half. If you deprive the Papiſts from purchaſing land, you take one purchaſer out of the market, and hurt thereby property. As to influence, he thought that nothing, no additional influence would be created: the Papiſt muſt have property, before he could purchaſe, and that property would always give influence.—He would oppoſe the repeal on the ſcore of policy; it

was

was impolitic to continue reſtraints of the ſort impoſed by the act of King William—there was a total bar left to all ambition, and riſing in the various profeſſions, which were of great importance: Popery was on the decline ſince the revolution; nay, it had declined within the laſt twenty years, which would appear, among other inſtances, by the red book—there were no Jacobites now, and few peers profeſſed the Catholic religion.

Sir *George Savile* ſaid, he was againſt proceeding, while there was a mob at the door; he thought, the petitions from the meaneſt of the people ought to have due weight in that Houſe; and whether the eighty-five ſocieties at Glaſgow were an incorporation, or only clubs of men meeting at little alehouſes, they had a right to apply to Parliament, ſtating their grievances or apprehenſions, and Parliament were bound to receive and enquire into them. On the preſent ſubject, it might be proper to enquire of perſons beſt acquainted with the ſubject; if it ſhould appear, that many of the clergy had ſigned the petition, and thought proteſtantiſm in danger, it might deſerve very ſerious conſideration, which ought to be given in a degree, at leaſt, coming from any quarter; he thought Papiſts ought to have perfect ſecurity in the enjoyment of their properties; and the degree of danger ariſing from their making new purchaſes, ought to be the meaſure of any regulations reſpecting ſuch new acquiſition—an enjoyment of land would take from their connection with foreign lands; every man loved ſome ſmall domicele around him—it might be thought hard not to permit them to educate their own children; but if Proteſtant children had been ſeduced, he thought a bill ſhould be brought in to prevent ſuch practices; he had turned his thoughts to that ſubject, and would move ſuch bill, though he had not yet made up his mind to the title of ſuch bill.

Mr. *Fox* ſaid his objection, if he had lived at the Revolution, would have been to the Houſe of Stuart, not becauſe that Houſe had embraced popery, but becauſe popery had embraced the Houſe of Stuart; that the latter was ſupported in its attempts on the liberties of the nation, by popery in general; there were now no ſuch dangers to be apprehended; the Pretender was out of the queſtion; beſides every Papiſt abjures the Pope in temporals, before he can avail himſelf of indulgencies. He could not think the Popiſh religion incompatible with government, nor civil liberty; becauſe, in looking round the world, he ſaw that in Switzerland, where

democracy reigned univerſally in the fulleſt manner, it flouriſhed moſt in cantons of that religion. He was a friend to univerſal toleration, and an enemy to that narrow way of thinking, that made men come to Parliament, not for the removal of ſome great grievances themſelves felt, but to deſire Parliament to ſhackle and fetter their fellow ſubjects; he wiſhed to know the number and ſort of names to the petitions which defired perſecution, and called upon the Houſe for an exerciſe of its judgment merely, inſtead of deſiring grievances of their own to be removed. He wiſhed to know who the petititioners were? He obſerved many ſigned their marks; and he finds that men who cannot read and write, find their blood fired that a Roman Catholic ſhould read and write. He differed in opinion from his honourable friend, and confeſſed he had no predilection for the ſignatures of the clergy; and he was convinced, if at the Reformation their opinions were to have decided, we ſhould have had no Reformation: it was not likely that men whoſe intereſts in general were againſt the reform, ſhould have been eager to obtain it. He went through a variety of reaſons in favour of general toleration, and declared againſt the repeal of the bill, and all that tended to bridle and reſtrain conſcience.

Sir *Philip Jennings Clerke* then ſaid ſomething in favour of the petitions; and concluded by moving, that the chairman might quit the chair, in order to report a progreſs, and to afford time for the reception of evidence.

Sir *George Yonge* ſpoke in favour of toleration; but thought ſome alteration of the law neceſſary.

The *Lord Advocate of Scotland* roſe to juſtify himſelf from the reflection made relative to the not puniſhing riots at Edinburgh. If any neglect had been ſhewn, he alone was culpable; he was not reſtrained by any motives of fear to himſelf, or by other improper motives: he had cauſed ſtrict enquir to be made, but he found the ringleaders had fled, and there were only in cuſtody ſome of the loweſt and meaneſt of the rabble, againſt whom he had not ſufficient evidence for conviction, and he was unwilling they ſhould triumph by an acquittal. He had promiſed to bring in a bill in favour of Papiſts in that kingdom: he did not give over ſuch intention, till the Papiſts themſelves deſired it of him. At ſome fitter opportunity, he hoped, therefore, that meaſure might take place. He defended the late act, and declared himſelf a friend to general toleration.

Mr.

Mr. *Spencer Stanhope* ſupported the right of general toleration, and he thought the act did not go far enough in favour of the Roman Catholics. The petitioners, he believed, were moſtly Methodiſts, and the Methodiſts in general were compoſed of the loweſt of the people; he was afraid the reſolutions offered would lead to a perſecution of Papiſts on the preſent ſubſiſting laws, and would do miſchief, but thought, nevertheleſs, it might be proper to reſtrain them from educating proteſtant children.

Mr. Alderman *Bull.* I riſe, Sir, to declare my moſt hearty concurrence with the petitions from the different Proteſtant Aſſociations: and, Sir, I am happy in having a ſanction for this opinion from that corporation of which I have the honour to be a member, and in which there are a large number of my conſtituents. It gives me pleaſure to ſee, at length, a ſpirit of oppoſition to that encouragement which popery has been long receiving from the ſervants of the crown.

The eſtabliſhment of that ſanguinary and intolerant ſyſtem of ſuperſtition in the province of Quebec ought to have ſpread a general alarm throughout the nation. The deſign was too evident to be miſtaken. The late toleration of popery within the realm, I firmly believe, is a part of a deep laid miniſterial plan; a plan, which has for its objects the deſtruction of the liberties of the people, and the formation of an arbitrary, deſpotic government. Popery is moſt favourable to this deſign, as paſſive obedience in the people, whenever the prieſt chuſes to enjoin it, is, on pain of eternal damnation, one of its diſtinguiſhing peculiarities.

I would not be underſtood to be an advocate for perſecution; I abhor the idea; it is not on account of any of the religious tenets of the Papiſts that I object to their toleration; it is becauſe they cannot give any ſecurity for their civil obedience under any Proteſtant government whatever. To a Proteſtant they are devoted foes; they are bound by every obligation from their earlieſt infancy, to oppoſe what they call hereſy, and to deſtroy thoſe whom they call heretics, that is, to deſtroy thoſe who differ in opinion from them! And is this religion? No, Sir, it is prieſtcraft and ſtatecraft; and oppoſition to a ſet of men holding ſuch horrid opinions is not perſecution, much leſs religious perſecution; it is common prudence; it is benevolence to ourſelves and our connections: it is ſelf-defence, and ought to be ſupported by every one who is a friend to the rights of mankind.

What,

What, Sir, was the conduct of our biſhops, and the clergy, in the memorable year 1745? They were then indefatigable in warning the people to beware of popery, a religion falſely ſo called, which had often deluged Europe in blood, and had at that time for its object, the baniſhment of our good old King and his family, and the ruin of our free conſtitution! And what alteration has popery undergone ſince? The Pope remains ſtill ſupreme, the prieſthood is the ſame, and the people are as faſt held in deluſion and obedience as ever; yet, becauſe the court and its dependents have thought proper to patronize popery, the biſhops and the clergy are ſilent, and that religion, which not forty years ago excited every horror in the people, without the leaſt alteration in any one of its tenets, we are now perſuaded to believe is perfectly harmleſs and deſerving of our countenance and ſupport! An impoſition this, which may produce the moſt melancholy conſequences.

We already hear of popiſh ſchools being opened to teach the children of the poor gratis, and of prieſts and jeſuits publicly proſelyting the people to that ſyſtem which ſupplants moral honeſty in the world, and which tends to ſubvert the peace and order of ſociety! And what may not be the unhappy iſſue? I fear, Sir, it may terminate in the deſpotiſm of the prince, and the ſlavery of the people. Thoſe numerous Proteſtants who are now applying to this Houſe, entertain the ſame apprehenſion, and they are diſcharging their duty to themſelves and their poſterity in beſeeching us to take a ſerious review of the late act in favour of the Papiſts, and to relieve the minds of thoſe particularly who are under ſcruples reſpecting the oath of ſupremacy.

Although, Sir, through the baneful influence of the crown, the former petitions have been ſpurned at and trampled upon, I yet hope the Houſe will comply with the prayer of theſe petitions without delay, leſt not only the multitude lately at your doors, but the people at large, ſhould ſuſpect that under the ſpecious maſk of moderation and tenderneſs for the Papiſts, we have a deſign to ſacrifice the valuable inheritance purchaſed with the blood of our anceſtors, and the ſecurity of the Proteſtant religion, to the ſhrine of popery.

Theſe are my ſentiments, which are founded upon thoſe moſt unequivocal of all arguments, obſervation and experience.

Mr. *Burke* reprobated the doctrines of Mr. Alderman Bull, and reflected upon him for his ignorance and want of erudition; he ſtated, that the ableſt arguments that ever were uſed, had that day fallen from the ableſt men, and that they were oppoſed by ignorance, falſhood, and fanaticiſm. He was called to order by Sir James Lowther, who ſaid he had reflected in an unbecoming manner on the worthy Alderman, and was deviating in an improper manner from the queſtion. After ſome time Mr. Burke proceeded, and ſaid, the petitions had ariſen from bigotry and fanaticiſm; that the church of England was ſtruck at, and the crown itſelf, and he would defend both from the attempts and malevolence of ſuch men. He went into a full account of the late riots; expatiated on the inhumanity of the mob; that Mr. Langdale, with twelve children, had ſuffered to the amount of 50,000l.—he had laid in a great ſtock againſt the commencement of new duties—he had ſince been adviſed to go to Bath to relieve his mind—at his firſt arrival there, he was treated with the ſight of the chapel at that place in flames—he was obliged to return to the Devizes.—The inhumanity of fanatics was ſuch, that after the deſtruction of the ſchool near the city, a petition had been preſented, deſiring the poor man, who owned it, might not have a leaſe of the land again to build another. He attacked the petitioners, and he read the names of ſeveral taken from thence with a mark—he threw others into ridicule, and he quoted, in a facetious manner, the names of ſeveral women—not being able to read and write themſelves, theſe monſters, were deſirous of preventing others from receiving education. He had been educated as a Proteſtant of the church of England by a Diſſenter; he read the Bible there morning, noon, and night, and was the happier and better man for ſuch reading: he had afterwards turned his attention to the reading of all the theological publications, on all ſides, that were written with ſuch wonderful ability in the laſt and preſent century; and at laſt thought ſuch ſtudies tended to confound and bewilder, and he dropped them, embracing and holding faſt the church of England. He went into a large field of reaſoning on toleration; vindicated the Papiſts from the charges brought againſt them; and decried the baſeneſs of Payne, the conſtable, who, he ſaid, had gone about, trying to find out matter to incarcerate for life, men againſt whom no complaint was made for any offence, other than ſaying their prayers in a language which he did not underſtand, but they did.

did. He had impriſoned Mr. Malony, an honeſt and inoffenſive man, but the humanity of the crown had releaſed him: he had attempted to impriſon Mr. Talbot, brother to the Earl of Shrewſbury, but had failed, very happily, in proof. He ſtated, in a very long ſpeech, the means taken to bring about all the miſchief that had happened, and he ſaid it had happened by the zeal of wicked and abandoned men, who had gone about induſtriouſly miſleading poor, ignorant, and deluded people; and he concluded, by moving a preface to the firſt motion, "That much induſtry had been uſed to miſrepreſent the intentions of Parliament, &c."

As ſoon as he had done, the queſtion was called for, many members growing impatient at the length of the debate.

Sir *Joſeph Mawbey* roſe, and many attempting to prevent his ſpeaking, he declared, that on a buſineſs of ſuch importance, he would not be prevented from declaring his ſentiments; he knew how little he was qualified to entertain or inſtruct them; he was never long, and he would not be ſtopped by the illiberal conduct of any man; he claimed that right as much for his conſtituents as himſelf; he had a right to be treated as a gentleman: ſuch as diſliked ſtaying longer in the Houſe might depart; but he aſſured them they might as well avoid noiſe, for they would ſooner get away by it. The Houſe being reduced to order, Sir Joſeph then ſaid, that when the noble Lord [Beauchamp] opened his propoſitions, he did it in ſo cool and diſpaſſionate a manner as to afford him great ſatisfaction: he heard him always with pleaſure, though he was not always convinced by his arguments. He hoped the ſubſequent part of the debate would have been conducted with equal temper and moderation, inſtead of which, the honourable gentleman who ſpoke laſt, had with a degree of paſſion and aſperity, very unbecoming himſelf, and very undeſervedly, attacked the character of a very reſpectable magiſtrate who ſpoke before him, in terms not warranted by any provocation, and indefenſible altogether. He had attacked the honourable magiſtrate on the preceding night with ſimilar heat, equal impropriety, and equal violence; nay, the ſame magiſtrate, on the preceding night, had alſo been attacked with as much violence, if not with equal paſſion, by a brother Alderman [Wilkes] in a manner unſupported by facts, and in a way that if they were true, ſhould have been uſed by any other man in the Houſe rather than that Alderman; becauſe the worthy magiſtrate, in times of diſtreſs and difficulty, had ſupported that Alderman, and

he thought perſonal and friendly obligations ſhould reſtrain him from undeſerved abuſe. Notwithſtanding theſe attacks, he had reaſon to believe the worthy Alderman was as honeſt and as worthy a character as any man in the Houſe, and, he had always underſtood, was ſo conſidered by thoſe that knew him. The heat and warmth that had ſhewn itſelf in this buſineſs at different times, by a noble Lord now in an unfortunate and unhappy ſituation (with whom he had no acquaintance) the honourable gentleman who ſpoke laſt, and the Alderman, who he did not then ſee in his place [Mr. Wilkes] had made many doubt who had moſt zeal, fire, or inſanity; ſure it was improperly brought forward on ſuch occaſions.

With reſpect to himſelf, he had no connection with the Proteſtant Aſſociation, nor had converſed with any of them till that day on this buſineſs. He had ſeen in the petition the names of many worthy and reſpectable men, enemies to riot and friends of order. Some of his conſtituents had that day applied to him in the lobby, and had ſtated their deſire of offering evidence to the Houſe in ſupport of the petitions; he was no bigot, and deteſted equally perſecution, and the late horrid exceſſes of men who, he believed, were not connected with the Proteſtant Aſſociation, but friends to plunder only: —he had ſigned no petition, nor had he ever ſhewn in the courſe of his life, a deſire to perſecute gentlemen of the Roman Catholic religion; on the contrary, he had lived in friendſhip with ſome gentlemen of that perſuaſion, for whom he had great regard, and he believed with one prieſt, (though he never knew that mathematically) the late worthy Mr. Edward Southcote, his neighbour in the country; and when Mr. Payne, the conſtable, was ſaid to be travelling about to proſecute the miniſters employed in private chapels, he had from friendſhip deſired Mr. Southcote would be ſtudious to avoid any thing in his conduct that might awake jealouſy, as it would grieve him to be under a neceſſity of proceeding againſt him, which, as a magiſtrate, he muſt do if information ſhould come before him. None of them in his neighbourhood were double taxed. But after ſaying this, he confeſſed he thought the Houſe ſhould be guarded in their conduct reſpecting popery: it was a religion, he believed, intolerant in itſelf, and, if uppermoſt, would perſecute others. They ought not to be permitted to educate proteſtant children; they acknowledged a foreign juriſdiction in ſpirituals, which might be hurtful and dangerous.

The noble Lord who opened the propoſitions, and complained that the pulpit had been employed by ſome men, forgetting

getting their Chriſtian character, to inſtigate the people;—he did not know what the noble Lord alluded to; but if he meant the preaching againſt the errors of popery, he thought that practice not culpable.—Archbiſhop Tillotſon, and every divine of the laſt and preſent age had ſo preached, and he did not know a clergyman of the church of England, he believed, from whom he had not heard at ſome time or other ſimilar diſcourſes.

The noble Lord in the blue ribbon had ſaid he was againſt the repeal on the ſcore of policy—if it was to reſt on that argument it ought certainly to be repealed. Popery was in general believed more ſuited to deſpotiſm than any other religion; and notwithſtanding what an honourable gentleman [Mr. Fox] had ſaid, in one of the beſt and moſt eloquent ſpeeches he had ever heard, though in the caſe of Switzerland there might be a ſingle exception to the contrary, if we look round the world in general, we ſhould ſee popery and tyranny hand in hand together. In a civil view therefore, any great increaſe of popery muſt be dangerous.

A train of circumſtances had led the people to believe their religion was in danger. Papiſts, by the capitulation of Quebec, were to be ſuffered the free exerciſe of their religion; but he had heard, our court had not only permitted a Roman catholic to exerciſe his functions there, fourteen or fifteen years ago, but had actually given him a ſalary. Popery was not only tolerated, but eſtabliſhed, by the execrable Quebec bill, afterwards; a bill founded in deſpotiſm and tyranny, and which, in the laſt Parliament, he had always oppoſed. Theſe, and other circumſtances, had led the people to think it was meant to encourage it by little and little, till it ſhould acquire a ſtrength that might be dangerous. If it was true, what the noble Lord in the blue ribbon ſaid, that popery was decreaſed ſince the Revolution, and even within the laſt twenty years, why would not the noble Lord permit a ſtill further decreaſe? Why not let it quietly expire in this country, unleſs political reaſons, in his judgement, made it proper to ſpread and extend it? He was therefore clearly for a repeal of part of the late act; and he objected, on account of the want of proof, to Mr. Burke's amendment.

Mr. *Sawbridge* then vindicated Mr. Alderman Bull's character; expreſſed himſelf an enemy to every kind of perſecution, civil and religious; thought the papiſts were at reſt before, and this act would tend to encourage perſecution; and

was totally againſt the prefatory amendment propoſed by Mr. Burke.

General *Conway* ſaid, that the other day he was afraid perſecution would be encouraged, and the remaining penal laws would be enforced againſt papiſts: he had now altered his opinion, and would vote for the reſolutions; but hoped they might be hindered from ſeducing youth.

Mr. *Martin* ſpoke a few words profeſſing his attachment to univerſal toleration, and ſaid he was againſt a repeal of the act.

The motions, five in number, were then read, and agreed to without a diviſion. The following is a copy of them.

1. That it is the opinion of this committee, that the effect and operation of the act paſſed in the eighteenth year of the reign of his preſent Majeſty, intituled, "An act for relieving his Majeſty's ſubjects profeſſing the popiſh religion from certain penalties and diſabilities, impoſed on them by an act made in the eleventh and twelfth years of the reign of King William the Third, intituled, an act for the further preventing the growth of popery," have been miſrepreſented and miſunderſtood.

2. That it is the opinion of this committee, that the ſaid act, paſſed in the eighteenth year of the reign of his preſent Majeſty, does not repeal or alter, or in any manner invalidate or render ineffectual, the ſeveral ſtatutes made to prohibit the exerciſe of the popiſh religion, previous to the ſtatute of the eleventh and twelfth years of King William the Third.

3. That it is the opinion of this committee, that no eccleſiaſtical or ſpiritual juriſdiction or authority is given, by the ſaid act of the eighteenth year of the reign of his preſent Majeſty, to the Pope or the See of Rome.

4. That it is the opinion of this committee, that this Houſe does, and ever will, watch over the intereſts of the proteſtant religion with the moſt unremitted attention; and that all attempts to ſeduce the youth of this kingdom from the eſtabliſhed church to popery, are highly criminal according to the laws in force, and are a proper ſubject of further regulation.

5. That it is the opinion of this committee, that all endeavours to diſquiet the minds of the people, by miſrepreſenting the ſaid act of the 18th year of the reign of his preſent Majeſty, as inconſiſtent with the ſafety, or irreconcileable to the principles of the proteſtant religion, have a manifeſt tendency to diſturb the public peace, to break the union neceſſary at this time, to bring diſhonour on the national character,

racter, to diſcredit the proteſtant religion in the eyes of other nations, and to furniſh occaſion, for the renewal of the perſecution of our proteſtant brethren in other countries.

Sir *George Savile* ſaid he was directed by the committee to move, that leave be given to bring in a bill to ſecure the proteſtant religion in Great Britain from any encroachments of popery, by more effectually reſtraining papiſts, or perſons profeſſing the popiſh religion, from teaching, or taking upon themſelves the education or government of, the children of proteſtants. Agreed to.

Sir *Philip Jennings Clerke* ſaid it was not the complaint of the proteſtants that the papiſts ſhould educate their own children in their ſchools; but they bribed and ſeduced the children of proteſtants. He adverted to the aſſertion of Lord Beauchamp, that the proteſtant preachers had influenced the minds of men. He ſaid it was the firſt time he had ever heard it imputed to the church of England as a crime, that they had preached againſt popery. He thought it was much better for the members of that church to declaim againſt popery, than to preach politics, or write Morning Poſts. He moved that the committee be adjourned to give the Proteſtant Aſſociation opportunity to prove their allegations at the bar. This motion however, on account of the clamour, he withdrew.

June 21.

No debate.

June 22.

Order of the day to receive the report of Mr. Strutt's qualification. After a ſhort debate the Houſe divided, for it 42, againſt it 47. So the bill was loſt. The following is a copy of the abſtract of it.

The bill ſets forth, in the preamble, that members ſhall be, *bona fide*, poſſeſſed of their reſpective qualifications; it then enacts, that the acts of the 9th of Queen Anne, and of the 33d of George II. ſhall be repealed from and after the determination of the preſent Parliament; and next enacts that from that period the qualifications of members ſhall be 600l. a year, in eſtate freehold or copyhold for life, &c. for every knight of the ſhire; and 300l. a year in like manner for every citizen, burgeſs, or baron of the Cinque Ports, and in caſe any perſon elected and returned to ſerve in Parliament as a knight of the ſhire, or as a citizen, burgeſs, or baron of the Cinque Ports, ſhall not at the time of his election or return be ſeized of or entitled to eſtate in lands, tenements, or hereditaments, his election and return ſhall be void.

It provides, that no perſon ſhall be deemed to be qualified by virtue of any mortgage, unleſs he ſhall have been in poſſeſſion of the mortgaged premiſes for ſeven years previous to his election.

It then enacts, that every perſon who after the determination of this preſent Parliament, ſhall appear as a candidate, or ſhall be propoſed to be elected to ſerve as a member of the Houſe of Commons, ſhall, upon reaſonable requeſt to be made (at the time of ſuch election, or before the day for the meeting of the Parliament) by any other perſon who ſhall ſtand candidate, or by any two perſons having right to vote at ſuch election, deliver in a particular of the lands, tenements, and hereditaments, by which he ſhall be ſo qualified to ſerve in Parliament as aforeſaid.

It alſo enacts, that after the determination of the preſent Parliament, every perſon who ſhall be elected a member ſhall, before he preſumes to vote in the Houſe of Commons, or ſit there during any debate, after their Speaker is choſen, produce and deliver to the clerk of the Houſe, at the table, whilſt the Houſe is ſitting, a paper or ſchedule, ſigned by every ſuch member, containing the name of the pariſh, &c. and alſo of the county, in which the lands, tenements, or hereditaments lie, together with the perſons who ſhall be tenants, or in the poſſeſſion or occupation thereof, whereby he makes out his qualification, declaring the ſame to be of the annual value of ſix hundred pounds above reprizes, if a knight of the ſhire; and of the annual value of three hundred pounds above reprizes, if a citizen, burgeſs, or baron of the Cinque Ports; and the ſaid papers or ſchedules, ſo ſigned and delivered in to the clerk, ſhall be filed and carefully kept by him; which papers or ſchedules ſhall be fairly copied into a book, which the clerk of the Houſe ſhall provide for that purpoſe, with a reference to the papers or ſchedules; and ſuch book ſhall be carefully kept for the peruſal of the members of the Houſe.

It recites the meaning of this act to be, that the members of the Houſe ſhould not only be poſſeſſed of ſuch qualification, at the time of their elections, but ſhould continue in the poſſeſſion thereof, or of lands equivalent thereto, during all the time they ſit in the Houſe; and recites, it may be convenient not to prohibit the ſale of ſuch lands, or any part thereof, ſo delivered into the clerk of the Houſe.

It enacts therefore, That it ſhall be lawful for any member of the Houſe, as often as he ſhall think proper, to deliver in to the clerk a new ſchedule of his qualification, to be *filed and* kept in manner before mentioned.

It

It alſo enacts, that if any perſon elected to ſerve in any future Parliament, ſhall ſit and vote as a member of that Houſe, before he has delivered in his ſchedule, the ſeat of ſuch member ſhall be declared void, and a new writ ſhall be iſſued, and ſuch member ſhall forfeit for every day he ſhall ſo ſit or vote, fifty pounds, one moiety to the perſon who ſhall ſue for the ſame, and another moiety to the governors of Chriſt's Hoſpital, for the benefit of the ſaid hoſpital, to be recovered by action, or information, in any of his Majeſty's courts at Weſtminſter.

It further enacts, That in caſe any action ſhall be brought in purſuance of this act, againſt any member of the Houſe of Commons, the clerk of the Houſe ſhall, upon demand, deliver an atteſted copy, ſigned by himſelf, of the ſchedule delivered to him by ſuch member, to the plaintiff or proſecutor, or his attorney, paying them ten ſhillings for the ſame; which being proved a true copy, ſhall be admitted as evidence upon the trial.

It enacts, that upon the trial, no lands or tenements, which are not contained in ſuch firſt ſchedule, ſhall be allowed as any part of his qualification.

With a proviſo, that nothing contained in this act ſhall extend to any perſon who ſhall at the time of his election be the eldeſt ſon of any peer, or any perſon qualified to ſerve as a knight of a ſhire, or to the members for either of the univerſities, or to the members for Scotland.

There is a proviſo for limiting the time of bringing actions, to ſix months after the commiſſion of the offence.

It then recites, other acts of Parliament have been made reſpecting the qualifications of members to ſerve in Parliament; and therefore enacts, that all ſuch acts, and every thing therein contained, ſhall be conſtrued to relate to ſuch qualification as is ſettled by this act.

June 23.

Sir *George Savile* preſented his bill to reſtrain Roman Catholics from educating the children of Proteſtants. It was read. No debate. Adjourned to the 26th.

June 26.

The bill was read a ſecond time, and a motion being made for the Speaker to leave the chair, in order to go into a committee of the whole Houſe on the ſaid bill,

Sir *Joſeph Mawbey* ſaid, before the Houſe reſolved itſelf into the ſaid committee, he wiſhed to ſay a few words on the ſame bill. He then ſtated that ſome of his conſtituents had deſired him on a former day to advertiſe the Houſe, that they

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were ready to adduce witneſſes in ſupport of the allegations in the petition of the Proteſtant Aſſociation, and he was now deſired to acquaint the Houſe, that witneſſes attended in the lobby to prove every ſuch allegation.

He was ſure the worthy and reſpectable gentleman, his honourable friend, he hoped to be permitted to call him, had originally brought in the preſent and former bill, from the pureſt motives; he had always proved himſelf a friend to toleration as well as to civil liberty; from the moſt liberal and praiſe worthy motives, he had more than once attempted to unfetter the diſſenting clergy from ſubſcriptions: two bills for that purpoſe have been carried through the Houſe, but as they were not ſupported by adminiſtration, a majority of Court Lords, and almoſt all the Biſhops, had rejected them in the other Houſe of Parliament. The bill in favour of papiſts was ſupported by adminiſtration, and in conſequence was not oppoſed in the other Houſe; and though in the ſubſequent ſeſſion the honourable gentleman's bill in favour of the diſſenting clergy had paſſed, he was himſelf firmly perſuaded, from the predilection given to Popery, it would have been again rejected, unleſs the papiſt has been firſt releaſed from the act of the 11th and 12th of King William.

He had his doubts of the propriety of the preſent bill; becauſe, under the idea of confining papiſts from educating the children of proteſtants, he was afraid, by implication at leaſt, it might take off the reſtrictions contained in an act of the 23d of Queen Elizabeth, which ſubjects ſuch as ſhould keep or maintain popiſh ſchool-maſters to a penalty of 10l. per month, and ſuch ſchool-maſters themſelves, unleſs licenced by the biſhop of the dioceſe, to a year's impriſonment. If this was meant, why not ſay ſo in direct terms? If the bill, by ſuch reſtraining from the education of proteſtants, would virtually authorize them to keep ſchools for all other purpoſes, which he feared would be the conſtruction put upon it, he was perſuaded inſtead of allaying the preſent diſcontents it would increaſe them. Whatever might be ſaid of the people's being miſled in their interpretation of the late act, he believed it could be ſaid of only a few: there were among the petitioners men of knowledge, ability, and learning, and he thought the alarm againſt the increaſe of popery in conſequence of that act, had taken deeper root than many gentlemen imagined: all deſcriptions of men, he found, were loud againſt the impolicy of the act: becauſe, though none, or but few indeed, wiſhed perſecution, they thought the papiſts had *nothing* to complain of before; every thing was quiet, and

they

they had conſtrued the relaxation of the penal laws into a full toleration; not leſs than thirty-three ſchools were ſince eſtabliſhed in the neighbourhood of London; many new chapels and maſs-houſes had been opened in different parts of the kingdom: that he thought if the papiſts held the tenets of paſſive obedience and non reſiſtance, it was a dangerous and damnable opinion in this free country; our government at preſent was built on other principles, and he thought any conſiderable increaſe of popery might be dangerous in a civil view, more eſpecially as they ſubmitted in ſpirituals to a foreign juriſdiction, an *imperium in imperio* highly improper.

Mr. *Ambler* ſaid, the repeal of the two clauſes in the act of King William will not be endured; eſpecially when he heard a gentleman ſay in the Houſe, he thought there could be no objection to admit them to a participation of offices; he thought the preſent bill would not give ſatisfaction to the petitioners, 60,000 of whom had ſigned the various petitions, and amongſt them were many men of faſhion and ſober temper. He could not think the giving way to the deſires of ſo large a body of people was to be conſidered as any humiliation; that act, paſſed three years ago, does not authorize the keeping public ſchools: this, by implication, would tend to remove former reſtraints, and legalize the papiſt to keep open a public ſchool. They thought that "charity covered a multitude of ſins," and they would take pains to ſeduce proteſtant children; it was a part of their religion; 32 ſchools were already ſet up ſince the paſſing of the act. He had ſeen a liſt of them, and the truth of the liſt the petitioners were prepared to prove; the Roman Catholics had rid faſt indeed, in two years. This bill certainly authorizes papiſts to keep ſchools; proofs are ready of proteſtant children being ſolicited for education by the papiſts; money has been offered for that purpoſe, and in ſome caſes actually given. As to the penalty laid on proteſtant parents, it would anſwer no good purpoſes; they were uſually poor whoſe children were ſo ſought after, and it might induce the parents themſelves to turn papiſts to avoid the penalty; the bill therefore he could not approve.

Sir *George Savile* ſaid, if there was any weight in the objection taken by the learned gentleman who ſpoke laſt, and his honourable friend who ſpoke before him, in this act's repealing former acts of reſtraint on popiſh ſchool-maſters, he thought it might deſerve very grave and ſerious conſideration; he believed the objection not founded in point of law; he thought the offer of proofs was not well timed—every gentleman would ſee the difficulty of drawing a bill to regulate that

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which ought not to be tolerated at all—former reſtraints were not taken away, and that all barriers againſt popery were not removed, was certain, for a liſt had been opened of ſo ſanguinary a nature, that nobody thought they ſhould be forced —he had had a liſt of popiſh ſchools given him by a Mr. Swaine, a proteſtant teacher: this is not a proper time to go into examination, but if true, they prove the fitneſs of ſome regulations; further reſtraints ought to be put if the caſes exiſt. The bill ſays, they ſhall not take upon themſelves the education of proteſtant children; it exempts from penalty muſic-maſters, dancing-maſters, fencing and riding maſters, teaching, and not lodging and boarding: he had prepared ſome new clauſes, which he meant to offer to the committee.

The ſpeaker after this left the chair, and Mr. Ellis took the chair of the committee of the whole Houſe.

Lord *Beauchamp* [on Sir George Savile's moving an amendment to prevent papiſts from taking proteſtant children apprentice] ſaid, he objected to that amendment, as a reſtraint upon trade and commerce, and, if meant to be abided by, would ſtrongly oppoſe it. The honourable Baronet over the way had thrown his objections to the bill, as it legalized the opening of Roman Catholic ſchools; and ſome gentlemen ſeemed to think it was great indulgence if they took upon them to educate the children of their own perſuaſion; as to their educating proteſtants, he had conſulted all the catholic gentlemen, with very many of whom he was acquainted, and they had aſſured him on their honour, they had made ſtrict enquiry, and had no ſort of knowledge of any ſuch practice; there is not a ſingle ſchool in the neighbourhood of London, where enquiries have not been made; the books of ſuch as are maintained by ſubſcription have been examined, and not a ſingle proteſtant boy, and only one girl has been received there —he himſelf had inpected the rules of the Roman Catholic ſchool in Moorfields, and one of the firſt of them is, not to receive the children of proteſtants; nay, one boy had been rejected on that ground. A parliamentary enquiry is improper; it will ſubject every ſchoolmaſter to penalties that may be levied againſt him, eſpecially coming under a parliamentary report. The amendment propoſed tends to disjoin perſons living under the ſame government—every blackſmith, who takes a child apprentice, is ſuppoſed improperly to have influence over the mind of his apprentice: you might as well ſay, he ſhall not marry a proteſtant. He did not admire the ſpirit and temper of the preſent act, but if it will quiet the apprehenſions of people, will conſent to it.

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The learned gentleman ſuppoſes it will repeal the act of Queen Elizabeth—he was ſurpriſed at that, becauſe no act was repealed, unleſs particularly ſo expreſſed—all the laws againſt papiſts were rather accumulative, and this would be ſuch—it ought to be confined to the ſingle purpoſe of education, and not to interfere with commercial intercourſe—No popiſh blackſmith, or ſhoemaker, is at preſent prevented from taking a proteſtant apprentice, and he thought they ought not to be prevented.

Mr. *Baker* ſaid, the noble Lord in his act of enquiries into the rules of popiſh ſchools, had alluded to converſation and examination not in the Houſe. It was true a boy had been rejected in one of thoſe ſchools, becauſe a proteſtant, and it did ſo appear by an entry made in their books; but then the Houſe ſhould know, that ſuch entry was made only on the ſecond day of April laſt, after all the ſtir and clamour had been made againſt them, and being ſo recent and occaſional, in his mind, rather made againſt than for the practice contended for in ſuch ſchool. The original ſchool had been eſtabliſhed ever ſince 1762, but it had been formed and much increaſed from ſcattered ſeminaries about two years ago; it might be made on purpoſe to guard againſt the effects of the petitions; there was no other inſtance of a ſimilar entry, although the maſter ſaid, he himſelf had taken upon him to reject ſeveral other children of the proteſtant religion.

Mr. *Burke* was ſorry for the credulity of the age and country in which he lived: he himſelf had been obliged to enquire, though the *onus* properly lay on ſuch as brought the charge; evidence of the facts complained of there was none; no accuſers ſtand forth; they had been obliged to enquire and examine minutely where every ſchool lay, boys and girls; none of them received the children of the proteſtant parents; and this had been done to quiet the minds of a ſet of men, who have no poſſibility of being ſatisfied; but as theſe reports had operated upon better minds than their own, he thought it right to give information.

He had obſerved the words ſeminary and ſeminaries had been uſed by theſe people indiſcriminately; in the proper ſignification of them (foundations for the inſtruction of youth, or colleges, or inſtitutions for orders) there were none ſuch in England: he was ſorry for it, becauſe he was ſure men had better be ſo bred in England, than in France, Flanders, or Spain: there were no ſchools teaching liberal ſcience, or claſſics, not one that had any foundation. There was one in Hertfordſhire, which was ſupplied with boys chiefly from

Weſtminſter. There was a boarding-ſchool at Sedgley Park, in Warwickſhire, which had 25 or 30 boarders before the act; and had been of 16 years ſtanding, though it had wickedly been ſaid, in a paper he had ſeen, to have ariſen ſince it. It was ſupplied by two prieſts and two lay-aſſiſtants, and four-fifths of the boys were educated for buſineſs. There were many foreigners, and many from the Weſt Indies, ſome Latin taught and languages, but it had no foundation. A certain lady of faſhion, Lady Stourton, had maintained uſually 12 boys at ſchool. He had a liſt of them; none were the children of proteſtants. There are now but 9, though ſometimes 12; and the ſuggeſtion of their taking proteſtant children was not founded in truth; one ſchool was gone at Hammerſmith; one in another place; and one or two more had dropped: in London he was not able to find any boarding-ſchool at all, nor in the northern parts of England, in Cumberland, Northumberland, and thoſe parts, except one that had been ſet up by a houſe-painter, the better to procure a living. As to day-ſchools, they were never the objects of jealouſy; there had indeed been brought to town ſeveral little ſchools which had been conſolidated into larger; one of this ſort was in the neighbourhood of Bloomſbury, another in the Minories; and they may be traced by the fires: the maſter of one of them had once 81 boys and 25 girls, though the latter were now reduced to 15, and he had refuſed to teach the children of near proteſtant neighbours: they teach, what all men of liberal education may know, the Doway catechiſm. There was, indeed, another ſchool in the Minories, the maſter of which was terrified and had run mad, of which he had no accounts, and there was not a ſingle boarding-ſchool exiſting in London.

There were ſeveral day ſchools, one of good character and eſtimation; a proteſtant had been employed at one time to teach there, and all teach the catechiſm of the church of England, and there was not a prieſt among them; they teach only the little rudiments of grammar.

Lord Arundel of Wardour had, indeed, a little ſchool in his own neighbourhood, where only day ſcholars, about forty in all, and the noble Lord in his letter (which he read) had aſſured, that no boarders are or ever were admitted; there were only two inſtances of proteſtant children taught, they were his own tenants, and were taught the catechiſm of the church of England; children educated *in ſchools* were decreaſed from 355 to 350, and in the ſame *proportion* the Roman Catholic religion was diminiſhing; in

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many places a prieſt cannot be got for thirty or thirty-five pound per annum, ſalary; ſuch a ſalary, which was the moſt they in general received, gave poor encouragement.

There were great numbers of Iriſh Roman Catholics, who do almoſt all the labour of the metropolis; and he thought they ſhould have ſome place where they may educate their children. The ſtory of burying children, he was perſuaded, originated from ſimilar practices in Ireland. He did not wiſh to have opened his ſentiments on this ſubject, but he could not now avoid it. There are proteſtant charter ſchools in Ireland eſtabliſhed, and money is voted and granted every year by the Parliament there to maintain them: the biſhops and the crown recommend, and they buy none but the children of papiſts:—it may be right ſo far; but when children are taken or bought, they are ſent from north to ſouth, from eaſt to weſt, their names changed, and the ties of affinity are ſnapped and broken aſunder; we ſecrete ourſelves, and yet complain of others doing that which cannot be proved. This blot and blemiſh ſhould never have been mentioned, if he had not been forced to it; he quoted the opinion of Thomas Aquinas, in the 12th century, againſt breaking the law of nature, and he contended, that the parent had full right to diſpoſe of the education of the child, and ſaid the darkneſs of the 12th century riſes againſt the light of the 18th.

There were, he ſaid, 50,000 proteſtant children maintained at ſchool in this town, and yet we were afraid of a miſerable charity ſchool of papiſts. The reports originated from the looſe ſuggeſtions of mean and baſe men, and many of them were falſe. He was now given to underſtand they would not be ſatisfied: why then, in God's name, go on with the bill? The petitioners had formidable names, and formidable hands; they did not petition till the 2d of June, and this was the 26th, and yet no evidence was offered till this day: he wiſhed them to come, he wanted to ſee thoſe men who were calumniators, and he wanted to know their names.

He ſaw no objection to ſhutting up boarding ſchools from educating proteſtants, but objected to including apprentices.

Sir *Henry Hoghton* ſaid he lived in a country where many of his neighbours, many of his tenants, and many manufacturers, are papiſts; he never heard of any complaint of their taking

ing apprentices, and thought the amendment propoſed improper.

Sir *Joſeph Mawbey* ſaid, the honourable gentleman who ſpoke laſt but one, had complained of the late day of preſenting the petition; of no evidence having been offered till this day; and of his wiſh to ſee the faces, and know the names of the perſons whom he has deſcribed, with ſome virulence, as calumniators and falſifiers of truth; for his own part, his knowledge of them in general was recent; but ſome among them he knew were worthy and reſpectable men; he had ſeen two men on Saturday, for the firſt time, one of whom was a Mr. Swain, who had ſaved the life (as he was informed) of the worthy chairman, [Mr. Ellis] and was a ſchool-maſter; the other was Mr. Fiſher, who ſaid he was a ſecretary to the Proteſtant Aſſociation, and had been honourably diſcharged after being taken up and put in the Tower. Theſe men had put into his hands accounts of ſchools eſtabliſhed ſince the act, differing widely from the account of the honourable gentlemen: the committee, under whom that ſecretary acted, were in the lobby, and they were ready to prove, by indubitable evidence, all they had ſtated in their petition.

With reſpect to the reaſons that induced a delay of preſenting the petition, he was not informed of them; this was not the firſt time proofs had been offered; from the firſt application of the petitioners to him, amongſt whom were many of his conſtituents, though he himſelf had not ſigned, and he had offered in their names to bring the proofs forwards, and this he did a week ago. The adjournment of the Houſe probably prevented an earlier offer; they were peaceable and quiet men, deteſting, with himſelf, the infernal practices of a mob, whom plunder alone had inſtigated to the commiſſion of acts diſgraceful to humanity: he had authority to aſſert, that not a ſingle ſubſcriber to their petition had been found amongſt the rioters; the ſecretary, againſt whom, in particular, ſo much had been inſinuated, appeared to him to be an honeſt, artleſs young man, that no one would ſuſpect at all to have encouraged ſuch tranſactions.

He aſſured the honourable gentleman, that the petitioners, and the committee in particular, never were afraid of their names or perſons being known; they were now in the lobby, ready to prove all they had aſſerted; that nothing had happened hitherto, and nothing could happen in future, in conſequence

conſequence of any enquiry, that could or would hinder them from appearing, if the Houſe choſe to call them in. As to their meeting in a peaceable manner in St. George's Fields, he believed no learned gentleman, either in this Houſe, or any where elſe, when the trial ſhould come on againſt a noble Lord, would contend, that ſuch meeting was treaſonable in itſelf; if ſo, county meetings, meetings for enquiries into, and redreſs of public grievances, would be treaſonable and illegal, and that could never be ſuppoſed;—not that he juſtified the propriety of ſuch meeting; inaſmuch as a mob took advantage of their peaceable deportment, to commit outrages, that every man, of every religion, muſt think diabolical and wicked; they can prove, that ſo far from any of that mob being influenced by religious motives, many of the moſt active rioters were Roman catholics; not that he would, therefore, inſinuate reflections againſt papiſts in general—it was no reflection on any profeſſion, that highwaymen, footpads, and houſebreakers, were of this or that religious perſuaſion, when no religious tenets, and no belief, appeared to influence their conduct.

He then went into a detail of the Roman catholic ſchools, and read the names and deſcriptions, from a paper in his hand, of thirty-three ſchools eſtabliſhed in London and its neighbourhoods ſince paſſing the late act, all of which he was inſtructed to ſay, they had evidence to prove to the Houſe; and ſo far from the petitioners deſerving ſevere reflections, for publiſhing falſhoods reſpecting Sedgley ſchool in particular, as if eſtabliſhed ſince the late act, he aſſured the committee, in his paper, it was expreſsly deſcribed as an old one. He ſtated the increaſe of maſs-houſes and chapels, and he read an account of ſeveral perſons who were ready to prove they had been offered money to permit their children to be educated in the popiſh religion, and of ſome who had actually taken particular ſums for that purpoſe.

He talked of the danger in a civil view to the public, from any material increaſe of papiſts; was ſorry the act was repealed, becauſe of the ferment it had occaſioned; nobody moleſted them before; no one was inclined to put the penal laws in execution, and it was dangerous to diſturb things at reſt, more eſpecially ſo at a time when the diſtreſſes of the public and individuals, had filled the whole country with diſcontent. Adminiſtration was hated, their meaſures univerſally condemned, and political diſcontent, aided by reli-

gious, may prove extremely dangerous; and he concluded by ſaying he could not approve of the bill, if it really legalized the keeping any ſchools by papiſts, and by ſo doing, virtually repealed the act of the 23d of Queen Elizabeth.

General *Conway* thought examinations of witneſſes unneceſſary, becauſe if their evidence ſhould prove all that was contended for, it would only ſhew the propriety of further reſtraint on papiſts educating proteſtant children, and juſtify the preſent bill. The amendment immediately before the committee was offered to prevent the papiſts from taking proteſtant apprentices; and the queſtion for conſideration was, whether ſuch amendment would injure the common intercourſe of commerce, and to that he ſhould give his negative.

Sir *Herbert Mackworth* ſaid he muſt enquire into the principles of the bill; it contained various regulations, and a proviſo reſpecting muſic maſters, dancing, drawing, and fencing maſters, that wanted ſome explanation. The amendment propoſed cannot take place, as ſomething was wanting to render it clear and intelligible.

Mr. *Dunning* ſaid, the bill as it ſtood, moſt certainly extended to every ſpecies of education, teaching and inſtructing. It had been firſt ſuggeſted as a bill of conciliation to remove the fears and apprehenſions that many had entertained. Such is the connection formed by living and boarding in the ſame houſe, that it may reaſonably be ſuppoſed, that the tutor, under ſuch circumſtances, will labour to convert, and care was taken to prevent ſuch ſeduction; but the giving occaſional leſſons in muſic, dancing, fencing, drawing, and riding, could not be the object of danger, without reſidence and living under the ſame roof, and therefore the bill very properly had a proviſo to exempt ſuch from penalties.

The worthy Baronet near him had expreſſed his ideas, that this bill, if it ſhould paſs into a law, would operate to repeal a former act of Queen Elizabeth; and he was more ſurpriſed to hear the ſame objection from a learned gentleman who had ſpoken in the debate. He had not been uſed to courts, where ſuch opinions had countenance and weight; the act alluded to had nothing particularly to do with the Roman catholics; and he was convinced, a teacher of that religion would be equally the object of this bill, though he ſhould be licenſed by the biſhop. He was perſuaded, it was in no way neceſſary; but if it would quiet the fears and alarms, which have no foundation, he had no objection to

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the reception of a clauſe or proviſo, expreſsly declaring it ſhould not be conſtrued to extend to a repeal of any exiſting act; ſuch a clauſe, though not, in his opinion, at all neceſſary, was perfectly harmleſs, and might be conciliatory without doors, and could do no harm within.

Lord *Beauchamp* hoped the honourable gentleman near him would withdraw the amendment reſpecting apprentices; which appearing to be againſt the ſenſe of the committee, was negatived, or withdrawn. His Lordſhip then ſuggeſted the fitneſs of receiving an amendment, that would confine the offence to the keepers of boarding-ſchools only, by ſubſtituting the word *and*, inſtead of *or*; and then the clauſe would run, "*if* any papiſt, or perſon profeſſing the popiſh religion, ſhall knowingly take upon him or herſelf the education, teaching, inſtruction, *and* boarding the child or children of any of his Majeſty's proteſtant ſubjects."

Mr. *Dunning* objected to this amendment, becauſe it would be impoſſible to convict any man of any offence againſt the propoſed act, unleſs he ſhould be proved guilty not only of teaching and inſtructing, but of boarding alſo.

Lord *Beauchamp* confeſſed that was his meaning and intention: the reſtraint was meant to be applied for fear of the converſion of the proteſtant to popery, and that principle does in no way apply to a day-ſchool, where no ſuch danger could be apprehended.

Mr. *Dunning* again roſe to reply, and ſaid he muſt oppoſe the amendment ſuggeſted by the noble Lord. The maſter of a day-ſchool, who at preſent had little or no inducement, might open ſuch ſchool profeſſedly to teach the catholic religion—convert the particle *or* into *and*, and no one can be proſecuted but him that inſtructs, him that teaches, *and* him that boards. Every man allows the impropriety of Roman Catholic ſchoolmaſters teaching the children of proteſtants; and if the amendment ſhould be adopted by the committee, he thought the honourable gentleman who brought in the bill, would do much better to ſtop here, than go on with it.

Lord *Nugent* thought the objection might be eaſily obviated, by leaving other words out, and by ſubſtituting the words, "teaching in ſchools, or places of education, kept by papiſts, or perſons profeſſing the popiſh religion." There ſhould be no crime in boarding proteſtant children.

Sir *George Savile*. No conviction can follow, unleſs the party actually does educate, teach, and board; his words

were, *or board*; if the particle was changed to *and*, the act would be of no uſe.

Lord *North* ſuggeſted that words might be changed, and when the penalty was named, it might be, "ſuch education, teaching, or boarding."

Mr. *Dunning*. It may be done by repeating the words, or referring to the preamble; it was not uſual for proteſtant children to be put to Roman Catholic families, merely to be boarded; if the bill be ſo narrowed, as propoſed, it will be of no uſe at all.

Lord *Beauchamp*. The practice is for ſuch as do not go into orders, to become language maſters, and they almoſt always receive boarders. A popiſh recuſant convict cannot exerciſe the profeſſion of an attorney; till convicted he may.

Mr. *Dunning*. A popiſh recuſant convict moſt certainly cannot practiſe as an attorney, nor can he before conviction, becauſe he muſt take the neceſſary oaths before admiſſion.

Mr. *Burke*. The papiſts are few in number, and extremely ſcattered, and children of ſuch can have no education; at leaſt ſuch as their parents would wiſh, if the amendment be rejected. There are no perſons keeping day-ſchools to take the children of papiſts, and the ſchools cannot be kept unleſs the owners of popiſh ſchools be permitted to receive proteſtant children; they will not afford a livelihood. No popiſh child can be taught if the diſjunctive *or* be admitted to ſtand in the bill, and no proteſtant can teach a popiſh child. He knows that ſome people get bread now, and this clauſe will certainly deprive them of it. Little day-ſchools were not objects of jealouſy; no harm could poſſibly ariſe from them, and therefore he muſt reſiſt their abolition and ruin.

Sir *William Bagot* ſaid, in his county the greateſt danger was to be apprehended from day-ſchools, and he was ſure the greateſt miſchief aroſe from them. It was doing nothing at all in ſaying popiſh boarding-ſchools ſhould not educate proteſtant children, if you left the children of the poor to be perverted by popiſh day-ſchools.

Mr. *Mansfield* declared his readineſs to go to the greateſt length in a toleration of Roman Catholics, if that was now the proper conſideration; but the circumſtance of the times had made it neceſſary to give relief to the minds of a great number of uninformed perſons; one fear has ariſen in their minds, of their getting poſſeſſion of the children of the

poor; and, though it be an ill-founded apprehenſion, that fear has been directed againſt day-ſchools, and therefore the bill, in order to anſwer the end propoſed, muſt include day-ſchools; they will otherwiſe perceive that day-ſchools are carried on with impunity: they will perceive, that we have paſſed an act to prevent their taking children of the better ſort, but have left the children of the lower claſs to ſeduction; therefore againſt his own ideas and opinion, he is forced to deſire this important word, *or*, may ſtand—when the act ſhall be paſſed, he thought the furious rage we had lately ſeen, could not poſſibly laſt any longer; people will return to their old good humour, and if the maſters of ſchools behave themſelves decently, quietly, and properly, it is probable that this law, like the former, which, in his opinion was properly repealed, may never be reſorted to.

Lord *Irnham* thought if the word *or* was continued in the bill, all would be ſatisfied; and therefore he was againſt the ſubſtitution of the particle *and*, inſtead thereof.

Lord *Beauchamp* confeſſed, it was againſt his opinion altogether, but he muſt ſubmit to the temper of the times.

Mr. *Burke* ſaid, gentlemen ſhould conſider how they would like to force proteſtants into popiſh ſchools; he was ſure they would not like it, and yet this principle was what had been contended for againſt the papiſts; for four-fifths of the children of poor popiſh parents in this country muſt go without education: this was an improper thing to be done, and therefore, after the adoption of ſuch a principle, he could not attend the bill any longer.

Other amendments, and ſeveral new clauſes, were afterwards moved and ingrafted into the bill; and amongſt the reſt, one propoſed by Sir Joſeph Mawbey, to declare, "That nothing in this act contained ſhall be conſtrued to extend to repeal, or in any manner invalidate any of the laws now in being reſpecting papiſts, or perſons profeſſing the popiſh religion."

After which the Houſe was reſumed, and the report from the committee was made.

June 27.

Mr. *D. Hartley* moved for leave to bring in a bill to inveſt the crown with power to make peace with America.

After ſome debate, the Houſe divided:

For the queſtion, -	28
Againſt it -	93

The following is a copy of the bill.

Draught

Draught of a propoſed Bill for Conciliation with America.

A Bill to inveſt the Crown with ſufficient powers to treat, conſult, and finally to agree upon the means of reſtoring peace with the Provinces of North America.

Whereas many unfortunate ſubjects of conteſt, have of late years ſubſiſted between Great Britain and the ſeveral Provinces of North America, herein after recited, viz. New Hampſhire, Maſſachuſett's Bay, Rhode Iſland, Connecticut, New York, New Jerſey, Pennſylvania, the three Lower Counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, which have brought on the calamities of war between Great Britain and the aforeſaid Provinces: to the end, therefore, that the farther effuſion of blood may be prevented, and that peace may be reſtored, may it pleaſe your Majeſty, that it be enacted, and be it enacted, by the King's moſt excellent Majeſty, by and with the advice and conſent of the Lords ſpiritual and temporal, and Commons, in this preſent Parliament aſſembled, and by the authority of the ſame; that it ſhall and may be lawful for his Majeſty, by letters patent, under the great ſeal of Great Britain, to authoriſe and empower any perſon or perſons, to treat, conſult, and finally to agree with any perſon or perſons, properly authoriſed on the part of the aforeſaid Provinces of North America, upon the means of reſtoring peace between Great Britain, and the aforeſaid Provinces, according to the powers in this act contained.

And be it further enacted, That in order to facilitate the good purpoſes of this act, his Majeſty may lawfully enable any ſuch perſon or perſons, ſo appointed by his Majeſty's letters patent, as aforeſaid, to order and proclaim a ceſſation of hoſtilities, on the part of his Majeſty's forces by ſea and land, for any time, and under any conditions or reſtrictions.

And be it further enacted, That in order to lay a good foundation for a cordial reconciliation and laſting peace between Great Britain and the aforeſaid Provinces of North America, by reſtoring an amicable intercourſe between the ſame, as ſoon as poſſible, his Majeſty may lawfully enable any ſuch perſon or perſons, ſo appointed by his Majeſty's letters patent, as aforeſaid, to enter into, and to ratify from time to time, any article or articles of intercourſe and pacification, which article or articles, ſo entered into and ratified from time to time, ſhall remain in full force and effect for the certain term of ten years, from the firſt day of Auguſt, one thouſand ſeven hundred and eighty.

Provided

Provided alſo, and be it further enacted, by the authority aforeſaid, that in order to remove any obſtructions which may ariſe to the full and effectual execution of any article or articles of intercourſe and pacification, as before mentioned; that it ſhall, and may be lawful for his Majeſty, by any inſtrument under his ſign manual, counterſigned by one or more of his Majeſty's principal ſecretaries of ſtate, to authoriſe and empower any ſuch perſon or perſons, ſo appointed by his Majeſty's letters patent, as aforeſaid, to ſuſpend for the term of ten years, from the firſt day of Auguſt, one thouſand ſeven hundred and eighty, the operation and effect of any act or acts of Parliament, which are now in force, reſpecting the aforeſaid Provinces of North America, or any clauſe or clauſes, proviſo or proviſos, in any ſuch act or acts of Parliament contained; in as much as they, or any of them, may obſtruct the full effect and execution of any ſuch article or articles of intercourſe and pacification, which may be entered into and ratified as before mentioned, between Great Britain and the aforeſaid Provinces of North America.

And be it further enacted, That in order to eſtabliſh perpetual reconcilement and peace, between Great Britain and the aforeſaid Provinces of North America, it is hereby required, and be it enacted, that all or any article or articles of intercourſe and pacification, which ſhall be entered into, and ratified, for the certain term of ten years as before-mentioned, ſhall from time to time be laid before the two Houſes of Parliament for their conſideration, as the perpetual baſis of reconcilement and peace, between Great Britain and the aforeſaid Provinces of North America; and that any ſuch article or articles of intercourſe and pacification as before-mentioned, when the ſame ſhall have been confirmed in Parliament, ſhall remain in full force and effect for ever.

And be it further enacted, That this act ſhall continue to be in force until the thirty-firſt day of December, one thouſand ſeven hundred and eighty-one.

Sir *George Savile* moved, "That the proſecution of an offenſive war in America is moſt evidently a meaſure, which by employing our great and enormouſly expenſive military operations againſt the inhabitants of that country, prevents from exerting its united, vigorous, and firm efforts againſt the powers of France and Spain; and has no other effect upon America, than to continue, and thereby to encreaſe, the enmity

enmity which has ſo long, and ſo fatally ſubſiſted between the two countries, can be productive of no good whatſoever, but by preventing conciliation, threatens the accompliſhment of the final ruin of the Britiſh empire."

After a debate the Houſe divided,

Ayes 34. Noes 105.

Mr. *Wilkes* moved, that there be laid before the Houſe, for the inſpection of members againſt next ſeſſion, copies of all the proceedings that have been taken to quell the late diſturbances, in ſo far as the Lord Mayor and Common Council of the city of London were concerned. Agreed to.

Mr. *Sawbridge* then drew the attention of the Houſe to the letters of Lord Amherſt, directed to Colonel Twiſleton. The meaſure of taking arms from the hands of the proteſtant ſubjects of this metropolis, and the diſcretionary orders which were given to the military, were not only violent infringements of the rights of the ſubject, but were alſo in a great meaſure the cauſe of the ſhocking increaſe of thoſe tumults. He mentioned an inſtance of this: at the time when Mr. Langdale's houſes were attacked, he ſaw 400 men ſtationed at the Manſion houſe. He applied to the commanding officer for a detachment of the troops, but he refuſed, ſaying, that he was ſtationed there, and he would not leave the place. By the orders which had been given, he was diveſted of his power as a magiſtrate; the military acted agreeably to their diſcretion, and not under the direction of the civil magiſtrate. He deſired the bill of rights to be read, and this being done, he moved.

1ſt. "That it is the undoubted right of his Majeſty's proteſtant ſubjects to be armed for their own defence without any commiſſion from the crown for that purpoſe." The previous queſtion was put and carried.

2d. "That to take away arms from his Majeſty's proteſtant ſubjects, upon pretence of their not being authorized by the crown to be armed, is contrary to law, and a violation of the rights of the ſubject as declared by the act of the firſt of William and Mary, declaring the rights and liberties of the ſubject, and ſettling the ſucceſſion of the crown." The previous queſtion was put and carried.

June 28.

Sir George Savile's bill for preventing popery, paſſed.

Mr. *Burke* ſaid, he had received a petition, which he held in his hand, from ſeveral Roman catholic ſchool-maſters, ſetting

ing forth the grievances they would labour under if the bill ſhould paſs into a law, and praying to be heard by counſel at the bar of the Houſe: a trifling debate took place, and on the queſtion being called for, there appeared for the petition 8, againſt it 33.

Adjourned to *July* 3.

The following is a copy of Sir George Savile's bill, after it had been amended in the committee.

A bill [with the amendments] to ſecure the proteſtant religion in Great Britain from any encroachments of popery, by more effectually reſtraining papiſts, or perſons profeſſing the popiſh religion, from teaching or taking upon themſelves the education or government of the children of proteſtants.

(The words printed in *Italic*, and the clauſes marked (A), (B), (C), (D), and (E), were inſerted by the committee).

Whereas the minds of many of his Majeſty's ſubjects have been diſquieted, and apprehenſions of the growth of popery in this kingdom have been entertained, from a belief that proſelytes have from time to time been made to the church of Rome, by the means of the boarding, educating, or teaching the children of his Majeſty's proteſtant ſubjects, in ſchools and places of education kept by papiſts, or perſons profeſſing the popiſh religion:

For removing ſuch apprehenſions, and for the more effectually preventing any ſuch unlawful practices for the future, May it pleaſe your Majeſty, that it may be enacted; and be it enacted, by the King's moſt excellent Majeſty, by and with the advice and conſent of the Lords ſpiritual and temporal, and Commons, in this preſent Parliament aſſembled, and by the authority of the ſame, That from and after the *firſt day of September, one thouſand ſeven hundred and eighty*, if any papiſt, or perſon profeſſing the popiſh religion, ſhall knowingly take upon him or herſelf the education, teaching, inſtruction, *as tutor, ſchoolmaſter, ſchoolmiſtreſs*, or *the* boarding, *for the purpoſe of education*, of the child or children of any of his Majeſty's proteſtant ſubjects; or if, after the ſaid *firſt day of September, one thouſand ſeven hundred and eighty*, any perſon, being a proteſtant, ſhall knowingly cauſe, or ſuffer his or her child or children, or any child or children entruſted to his or her care or guardianſhip [ſuch child or children ſo entruſted not being the iſſue of popiſh parents] to be educated, taught, inſtructed, *as aforeſaid*, or boarded, *for the purpoſe of education*,

by or with any papiſt, or perſon profeſſing the popiſh religion; every ſuch perſon ſo offending, and being lawfully convicted thereof, by information or indictment, ſhall, upon ſuch conviction, forfeit and pay the ſum of *one hundred pounds*, and ſuch offender, ſo convicted as aforeſaid, ſhall alſo be adjudged to ſuffer *twelve* months impriſonment.

Provided alſo, and be it enacted, That no ſuch proſecution ſhall be brought, except within *ſix* calendar months after the ſaid offence ſhall be committed.

Clauſe (A), Provided always, and be it enacted, That nothing in this act ſhall extend, or be conſtrued to extend, to the teaching the arts or exerciſes of muſic, drawing, dancing, fencing, or riding only, the ſchool or academy where ſuch arts or exerciſes ſhall be taught, and the names of the perſons employed in teaching them therein, being regiſtered, as is hereinafter directed, and no proteſtant child or children who ſhall be there taught, being permitted to lodge or board therein, or in the ſame houſe with any ſuch teacher, being a papiſt, or perſon profeſſing the popiſh religion.

Clauſe (B). And be it enacted, That all ſchools or academies whatſoever, where the abovementioned arts or exerciſes ſhall be taught, and the names of the perſons employed in teaching therein, ſhall be regiſtered at the quarter ſeſſions of the county, city, riding, or places, in which the ſaid ſchools or academies ſhall be kept.

Clauſe (C). Provided alſo, and be it enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to the giving leſſons in the arts, ſciences, exerciſes, or languages, in any ſchool or academy kept by a perſon or perſons being proteſtants, or in the private houſe of any perſon being a proteſtant, the perſons ſo giving leſſons not reſiding or boarding in the ſaid ſchool, academy, or houſe, reſpectively.

Clauſe (D). And be it hereby further enacted, That one moiety of all and every the penalties to be levied by virtue of this act, ſhall be paid to the proſecutor of ſuch information or indictment, and the other moiety thereof to the poor of the pariſh in which the ſaid offence ſhall be committed.

Clauſe (E). Provided alſo, and be it enacted, That nothing in this act contained ſhall be conſtrued to extend to repeal, or in any manner invalidate, any of the laws now in being, reſpecting papiſts, or perſons profeſſing the popiſh religion.

July 3, and 4.

No debates.

July

July 5.

Mr. *Burke* preſented "A bill for the more perfectly uniting to the Crown, the principality of Wales, and the county palatine of Cheſter, and for the more commodious adminiſtration of juſtice within the ſame; as alſo for aboliſhing certain offices now appertaining thereto, for quieting dormant claims, aſcertaining and ſecuring tenant-rights, and for the ſale of all foreſt lands, and other lands, tenements, and hereditaments, held by his Majeſty in right of the ſaid principality, or county palatine of Cheſter, and for applying the produce thereof to the public ſervice."

Mr. *Hartley* moved, "That an humble addreſs be preſented to his Majeſty, ſetting forth with what abhorrence his Majeſty's faithful Commons beheld the late riotous proceedings and tumults, and which being now ſubſided, humbly to deſire that his Majeſty would be pleaſed to order the military power to be again under the controul of the civil magiſtrate." After a ſhort debate the Houſe divided, Ayes 6, Noes 50.

July 6.

No debate. Adjourned to the 8th.

July 8.

The King went to the Houſe of Lords, and after a ſpeech from the throne, both Houſes were prorogued. And on the firſt of September following, the Parliament was diſſolved.

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